

CITIZEN AND THE MUNICIPAL BUREAUCRACY

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(A Survey of the Building Department of the
Delhi Municipal Corporation)

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Foreword

The study of the Building Department had its genesis about four years ago in the then Home Ministers' concern about weeding out corruption and offering 'clean administration' to the citizens at the local level. In identifying the areas for study in that context, the Building Department was picked out because of the acute shortage of residential houses and of delays in the sanction of plans for house construction. Delays were regarded as the chief cause of corruption and, therefore, we were asked "to make a survey of the Building Department of the Corporation". This survey was required to examine the existing "procedures that the applicants for house construction had to follow, the time taken by the Corporation in sanctioning the Building plans, the difficulties experienced by the public in getting sanction of the plans and the remedial measures for removing these difficulties". We made the study a little more broad-based and examined the whole process of administration from the initial submission and sanction of plans to the issue of completion certificates.

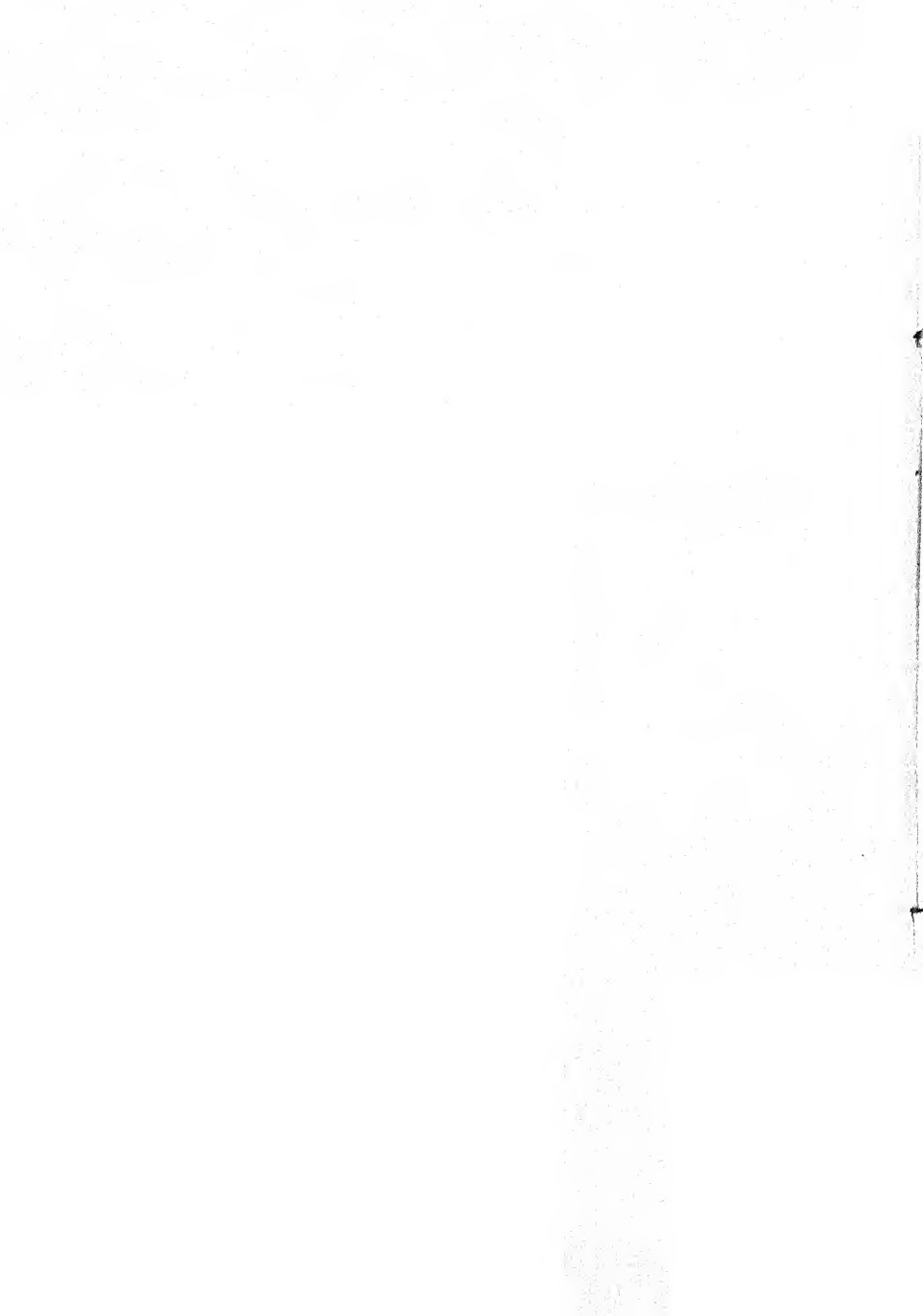
The image which a citizen forms of the Government as a whole is based upon his personal experiences particularly in his day-to-day contacts with the local authorities. From the citizens' point of view, the all-important governmental agency is the local administration. The significance of the research study that we have undertaken and the results of which are described in the succeeding chapters have to be seen in this light. We hope that the study will be read and commented upon by the citizens for whose benefit it was primarily undertaken and written.

J. N. KHOSLA

Director

New Delhi,
December, 1970,

INDIAN INSTITUTE OF
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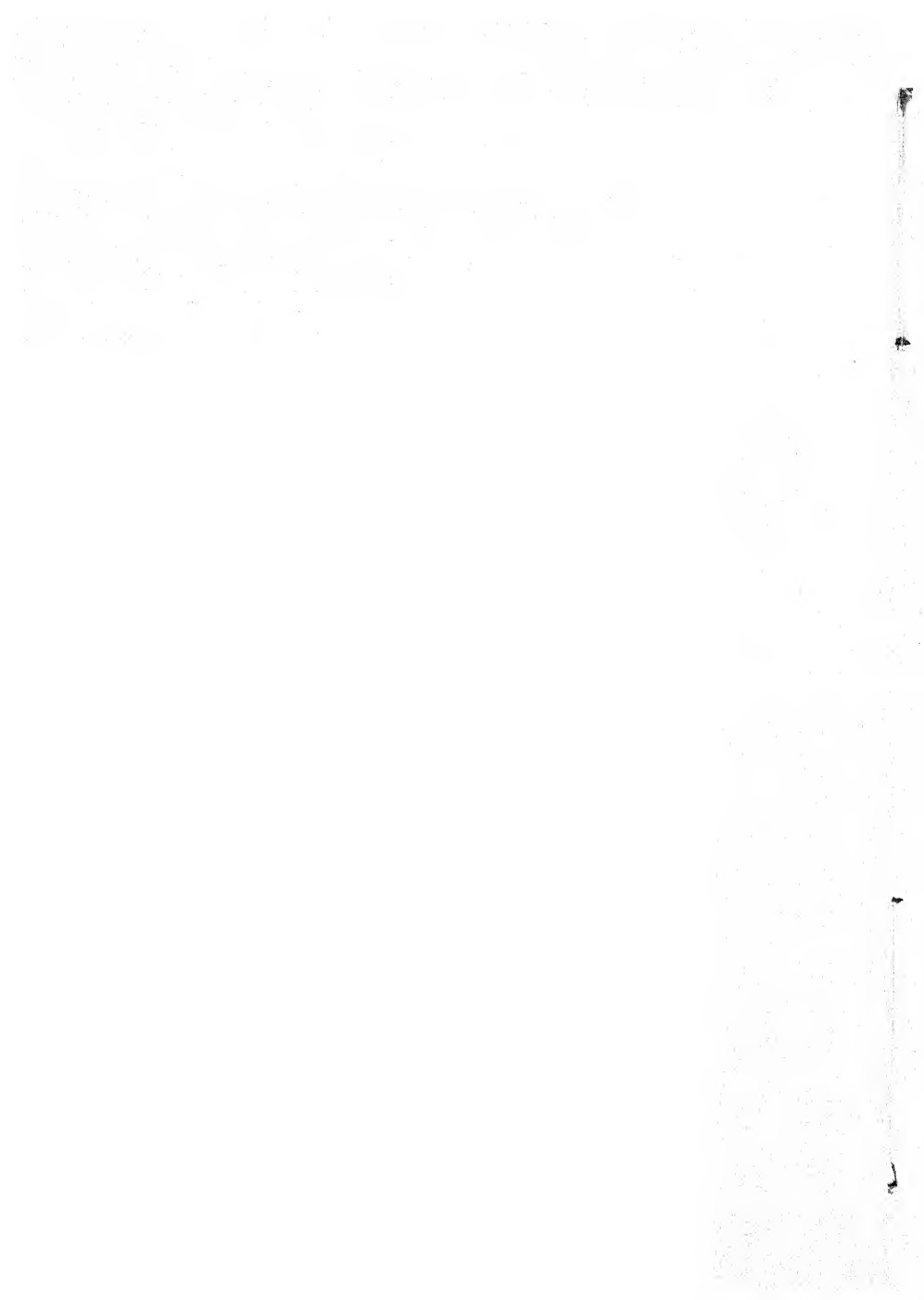
Our thanks are also due to the officers and staff of the Delhi Municipal Corporation in general and of the Building Department in particular for their cooperation in conducting the study. We like to express our gratitude to the many citizens who cooperated in responding to our questionnaire.

Our thanks are due to Sarvashri Narayan Murthy, Sitaram and Kumari A. Vageeswari for their excellent research support.

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New Delhi,
December, 1970.

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The Problem and This Study

THE PROBLEM

Cities are growing but city governments do not seem to be able to cope up with the growing demands for provision of services like water supply, housing, transport, etc. City government's inability to cope up with the rising demands of growing cities may be the result of cumulative forces such as economic backwardness, civic indifference, administrative incompetence or political ineptitude. It is neither desirable nor is it possible to attribute the shortcomings in the supplies of services to any of these factors exclusively nor would a study in isolation of any of these factors give us a correct or comprehensive picture of the whole situation. Notwithstanding the consciousness of the handicaps of a segregationist analysis and an isolationist study, we decided that a depth study at the micro-level of local administration in a municipal government would be useful. This kind of micro-study, we thought, would contribute, in a greater measure, to a confirmation or rejection of certain generalizations based upon macro-studies of bureaucracy.

BUREAUCRACY AT WORK

The study of bureaucracy at work is a difficult job. Bureaucracy has its formal structure. In its work, however, a number of informal factors operate. It is easy to describe the structural part as it exists on paper but difficult to identify the actual functioning of the organisation. We tried to understand both aspects through documents, personal observation and interviews. The findings, therefore, reflect the facts ascertained and impressions formed from outside. They approximate to but may not constitute the whole reality of bureaucracy at work. However, we leave it to the readers to judge as to how far we have been successful in portraying the picture of a bureaucracy at work.

ABOUT DELHI

Before 1912, Delhi was the Headquarters of a Division which had been constituted after the annexation of Delhi by the British. This Division comprised the Districts of Simla, Hissar, Rohtak, Delhi, Ambala, Karnal and Gurgaon. In 1912, a separate Delhi Province was constituted by dissolving the Delhi District and transferring Sonapat Tehsil to the Rohtak District and parts of the Ballabhgarh Tehsil to the Gurgaon District. This Province consisted of the remaining parts of the Ballabhgarh Tehsil and the Sonapat Tehsil. Later on, the Province was enlarged by the addition of some territory from the Meerut District and its total area at that time was 593 sq. miles. The total area of the Union Territory of Delhi accepted for the purposes of the 1961 census calculations was 573 sq. miles.

The enforcement by the Government of India of the Part 'C' States Act changed the status of Delhi Province and it became a Part 'C' State with a Legislative Assembly of its own, on March 17, 1952. Following the reorganisation of States and the abolition of Part 'C' States, Delhi became a Union Territory with effect from November 1, 1956. Article 239 of the Constitution of India relating to the administration of the Union Territories provides that "every Union Territory shall be administered by the President, acting, to such extent as he thinks fit, through an administrator to be appointed by him with such designation as he may specify". Under this provision, Delhi was administered until recently by a Chief Commissioner as the Administrator of the territory.

A new administrative set-up for the Union Territory of Delhi under the Delhi Administration Act, 1966, was introduced on September 7, 1966, and under this new arrangement, Delhi has a directly elected body called the Metropolitan Council. The Administrator has been designated as the Lt. Governor of Delhi. The avowed purpose of creating the Metropolitan Council with Executive Councillors as a sort of Cabinet for the Lt. Governor is to satisfy the democratic aspirations of this Cosmopolitan City which is also the nation's capital. However, the powers of the Metropolitan Council are restricted and the Council has only the right to discuss and make recommendations. The Executive Councillors are appointed by the President from the elected councillors, to assist and advise the Administrator and the

Metropolitan Council has no powers to remove them. The recommendations of the Executive Councillors are required to be forwarded to the Lt. Governor and in case of difference of opinion between the Administrator and the Executive Councillors on any matter, the Administrator is required to refer it to the President for decision. Thus the Administrator appointed by the President has wide powers of control over the administrative set-up in Delhi.

MUNICIPAL SET-UP

The metropolitan area of Delhi consists of three municipal units, the Municipal Corporation, the New Delhi Municipal Committee and the Cantonment Board. The Corporation, in its present form, came into being soon after the abolition of Delhi as a Part 'C' State and its conversion into a Union Territory. At that time there were ten local bodies and three statutory authorities in Delhi and these were merged in the Corporation by the Delhi Municipal Corporation Act, 1957.

The total area of the Union Territory is 573 sq. miles and of this an area of 539 sq. miles is within the jurisdiction of the Corporation.* The total number of Municipal Councillors at the time of establishment of the Corporation was 80, but now it is 100, the maximum provided under the Act. The Councillors are elected on the basis of adult franchise and hold office for a period of four years. The Corporation is presided over by a Mayor, who is elected annually.

The executive powers of the Corporation are vested in a Commissioner who is appointed by the Central Government and is in many ways, independent of the deliberative wing of the Corporation. The Commissioner is normally appointed for a term of five years, which can be renewed for a term not exceeding one year at a time. The Central Government has to remove the Commissioner from office if, at a special meeting of the Corporation called for the purpose, a resolution for such removal has

*The New Delhi Municipal Committee has under its jurisdiction an area of about 16 sq. miles and is administered by a nominated body of 11 members, 5 officials and 6 non-officials. The civic affairs of the Delhi Cantonment Board Area are dealt with by the Board consisting of 16 members, 7 of whom are elected. The control over the affairs of the board vests in the Central Government and the military authorities.

been passed by a majority of not less than three-fifth of the total number of members. The Central Government can also remove the Commissioner if, at any time, it appears to that Government that he is incapable of performing the duties of his office or has been guilty of neglect or misconduct in the discharge of such duties. Thus the Central Government has wide powers over the administration of the Union Territory through the appointments of the Lt. Governor and the Municipal Commissioner.

PROBLEMS OF GROWTH

Delhi has been growing at a very fast pace in recent years and this has brought in its wake a variety of problems. The total population of the Union Territory according to the 1961 census was a little over 2.65 millions. The current estimates of population vary from 3.5 million to 3.8 million. The Master Plan estimated that Delhi's population will reach 4.5 million by 1981. However, the rate of growth and influx of population has been about 2,00,000 per year instead of 1,00,000 which was the estimated figure for the purposes of preparing the Master Plan. If the population continues to increase at the present rate, Delhi's population in 1981 is likely to be 6 million instead of 4.5 million. To house this additional population, we shall require about 5 lakh dwelling units. The present back-log of houses is estimated to be 3.4 lakh.

According to Shri V. V. Bodas "on a very modest estimate, we must have a target of construction of $3.4 \text{ lakh} + 5 \text{ lakh} = 8.4 \text{ lakh}$ dwelling units by 1981. However, to account for the probable depletion of housing stock and a safe margin, we might have to make provision for about 10 lakh dwelling units by 1981".¹

The growth of Delhi's population has been accompanied by rapid urbanization of Delhi. According to the 1961 census, "the urban population constituted 82.40 per cent of the total population of the Union Territory in 1951. The corresponding percentage rose to 88.75 per cent in 1961. During the decade 51-61, the percentage increase of the urban population of Delhi was 64.17 per cent. It is noteworthy that in the whole of India,

¹ V. V. Bodas, Architect, Town Planner, Delhi Development Authority, *A note on Housing and Building Bye-laws in Delhi*, Mimeograph. Seminar on Building Bye-laws, etc., March 11-12, 1969, Indian Institute of Public Administration, New Delhi.

Delhi had the highest percentage of urban population both in 1951 as well as in 1961. In India as a whole, the urban population formed 17.35 per cent in 1961. During the decade 51-61, India recorded an increase of 26.22 per cent in its urban population."²

As a result of rapid urbanization and increase in population, housing has remained one of the most critical problems of the Capital. The implementation of the Master Plan which was intended to resolve the housing problem in the larger context of Delhi's planned physical development, has been progressing at a slow pace. The efforts of the Delhi Development Authority, the Housing Department of the Delhi Administration, the Municipal Corporation of Delhi and the New Delhi Municipal Committee have not made much headway in resolving the housing problem and as already mentioned, it is estimated that there is a back-log of about 3.4 lakh dwelling units in Delhi.

In a city where population has been expanding rapidly, the problem of housing shortage cannot possibly be solved by the housing programmes of the Municipal Corporation, the Delhi Development Authority or any other Government Agency. These agencies can only help in providing land at reasonable rates to the citizens and to simplify the procedures so as to encourage the citizens to construct private houses. The organisation and functioning of the Building Department has thus to be evaluated from the standpoint of the overall perspective and interest of the Municipal Corporation and secondly, from the standpoint of the satisfaction of the citizens' housing needs. The inability to cope up with the demand for housing has led to the twin problems of 'squatting' on public land and also to unauthorised constructions. The failure to solve one set of problems is leading to accentuation and accumulation of old and new problems respectively. The absence of a proper policy and its administration as regards the easy availability of land at reasonable predetermined rates is also a contributory factor for the shortage of houses in Delhi. However, since the land policy is not part of our terms of reference we have not dwelt upon this problem in our study.

THE PROBLEM AND METHODOLOGY

The main purpose of this study is to describe the working

² Census of India, 1961, *Delhi District Census Hand-Book*, pp. 15-16.

of the Building Department and to pinpoint the shortfalls in the existing procedures. After a preliminary study of the Building Department, we felt that it was necessary to find out as to how the citizens in Delhi were reacting to the existing system.

A questionnaire to the citizens was administered with a view to ascertaining their experiences, ideas and images about the Building Department as well as of certain aspects of the Corporation as a whole. An attempt was made to observe the organisation at work besides a study of the organisation, personnel, procedures and equipment for work. We had formal and informal discussions with the officials of the Building Department for ascertaining their views. A sample survey in the Shahdara, New Delhi South and West Zones of the Delhi Municipal Corporation was carried out with the help of a questionnaire (Annexure I). We also interviewed officers of the Building Department of the Delhi Municipal Corporation on the basis of a separate questionnaire (Annexure II). We also contacted the registered architects as the building plans are required to be submitted through them.

THE SAMPLE

We have confined our study to an examination of the building plan applications received by the Department during the years 1964-65 and 1965-66 as these were the latest for which data was available. The number of building plans submitted, building plans sanctioned and the number of completion certificates applied for and issued during the years 1964-65 and 1965-66 are given in Annexure III. A preliminary study of the data made it clear that there are three zones of the Corporation, *viz.*, New Delhi South Zone, West Delhi Zone and Shahdara Zone in which there has been maximum construction during the years 1964-65 and 1965-66. As such, it was decided to draw a sample, for this study, from the total population of these three zones only. The total population, according to the Corporation's figures for building plan applications, amounted to 15,554. The registers of the three zones were treated as a single register for purposes of drawing the sample and starting with the random number of 12, we picked up every 34 number in respect of building plan applications. On the basis of the total population,

a sample of 430 citizens was drawn. Of this we could interview only half the number. The others could not be interviewed as there were 75 vacant plots, 74 incorrect addresses, 29 respondents out of town, and 37 respondents either refused to be interviewed or they were inaccessible.

The total number of sanctioned posts of Assistant Engineers, Section Officers and Building Inspectors for the Building Department is given in Annexure IV. We wanted to interview all of them, but we could interview 7 Assistant Engineers (including 5 Zonal Engineers), 30 Section Officers and 17 Building Inspectors. Two posts of Assistant Engineers were vacant and some Section Officers and Building Inspectors could not be contacted due to their being on leave, etc.

The information contained in the tables indicates the composition of the sample as regards age, education, income and occupational groups. Table I gives the age-group distribution.

TABLE I PERCENTAGE DISTRIBUTION OF CITIZENS
ACCORDING TO THEIR AGE

<i>Age</i>	<i>Percentage</i>
20 — 30 years	9.0
31 — 40 years	33.0
41 — 50 years	30.0
51 — 60 years	20.0
61 and above	8.0
	100.0

The possible occupations which a house owner could have, were broken into government service, private service, business, retired, house-wife and unemployed. Occupation-wise distribution of the respondents is given in Table II.

The data on income (Table III) shows that the sample is a representative one as the respondents belonged to income groups ranging from less than Rs. 200 per month to more than Rs. 1,000 per month.

An interesting point in the study of incomes was that 38 per cent of the respondents in the South Zone belonged to

TABLE II PERCENTAGE DISTRIBUTION OF CITIZENS
ACCORDING TO THEIR OCCUPATION

<i>Occupation</i>	<i>Percentage</i>
Government Service	25·0
Private Service	27·0
Business	29·5
Retired	11·0
House-wives	6·0
Unemployed	1·5
	100·0

TABLE III PERCENTAGE DISTRIBUTION OF CITIZENS
ACCORDING TO THEIR INCOMES

<i>Income</i>	<i>Percentage</i>
Less than 200	8·0
201 — 400	23·0
401 — 600	17·0
601 — 800	12·0
801 — 1,000	10·0
1,001 and above	21·0
No Income	9·0
	100·0

Rs. 1,000 and above income category, whereas 55 per cent of the respondents in the Shahdara Zone had an income of less than Rs. 400 (Table IV).

As in the case of incomes, similarly in the field of Education also, the levels of education show that the sample was fairly representative (Table V).

Insofar as the religion of the respondents is concerned, it was found that 81 per cent of the sample were Hindus, whereas 18 per cent were Sikhs and 1 per cent belonged to other

TABLE IV ZONAL-WISE PERCENTAGE DISTRIBUTION OF CITIZENS ACCORDING TO THEIR INCOMES

	Less than 200	Rs. 201—400	Rs. 401—600	Rs. 601—800	Rs. 801—1,000	Rs. 1,001 and more	No income	Refused to answer
West Zone	8	26	18	17	8	13	8	2
South zone	1	15	15	7	13	38	11	—
Shahdara	26	29	22	8	7	4	4	—
Total	7	23	17	12	9	21	9	1

TABLE V PERCENTAGE DISTRIBUTION OF CITIZENS
ACCORDING TO THEIR EDUCATION

<i>Education</i>	<i>Percentage</i>
Primary	10·0
Middle	11·0
High School	15·0
Higher Secondary	17·0
Diploma-holders	7·0
Graduates	31·0
Post-Graduates	6·0
No Education	3·0
	100·0

minority communities. One fact to be noticed in this connection is that though Delhi has been expanding rapidly in all directions, yet no member of the Muslim Community figures in our sample. This could possibly mean that the minority community continues to live in the areas which were established long ago.

RESIDENTIAL STATUS

Forty nine per cent of the respondents said that they had been residents of Delhi for the last 16 to 20 years, 20 per cent had been in Delhi for more than 20 years, 5·0 per cent had come to Delhi during the last 5 years, 10·0 per cent had settled in Delhi during the last 5 to 10 years, whereas 14 per cent fell into the category of 11-15 years, 1 per cent of the respondents are not residents of Delhi at all. About the same number said they have been permanent residents of Delhi.

The majority of the respondents had acquired land only during the last 10 years. Fortyfour per cent of the respondents had purchased land during the last 5 years, 31 per cent during the last 10 years, 19 per cent had acquired it about 11-15 years ago and a small percentage of 5 claimed that they had purchased land over 15 years ago and one per cent of the sample said that they did not remember exactly as to when they purchased the land.

The area of the plots varied from less than 100 sq. yards to 600 sq. yards and above. About 19 per cent of the plots measured between 100 to 150 sq. yards, 25 per cent plots measured between 151-200 sq. yards, 15 per cent were between 201-250 sq. yards, 19.5 per cent between 251-300 sq. yards and 13.5 per cent of the respondents had plots between 350-500 sq. yards. Only 2 plot holders had an area of less than 100 sq. yards. 6.5 per cent of our respondents owned plots of more than 600 sq. yards.

The price which the respondents had paid for their plots also varied from individual to individual and from zone to zone. The table given below indicates the price range and percentage of plot-holders falling in each category.

TABLE VI PERCENTAGE DISTRIBUTION OF CITIZENS ACCORDING TO THE PRICE PAID PER SQ. YARD

<i>Price per sq. yard in Rupees</i>	<i>West Zone</i>	<i>South Zone</i>	<i>Shahdara Zone</i>	<i>Total</i>
Less than 20 per sq. yd.	39	32.5	48	38
Rs. 21-30 per sq. yd.	19	15.0	30	19
Rs. 31-50 per sq. yd.	25	22.5	22	24
Rs. 51-75 per sq. yd.	8	15.0	—	10.0
Rs. 76-100 per sq. yd.	3	2.5	—	2.0
More than Rs. 100	2	5.0	—	3.0
Don't Remember	3	2.5	—	2.0
Lease Basis	1	5.0	—	2.0

HYPOTHESIS : PRESCRIPTION AND CONFORMITY

We have, within the limited time and resources available for us, chosen a sample that could be regarded as a cross-section and fairly representative of the universe of the city. This study is more in the nature of a pilot-study in administrative survey. More than the size of the sample covered, we are, in these administrative surveys, concerned with the method of discovering the objectives and the functional relationships in a government organisation. Every government department has a system of annual reporting, estimating and execution of various programmes.

These are subject to the scrutiny of an elected body, directly or through various committees. The staff is usually recruited after thorough screening and selection to fit into a career and cadre service, and works under the supervision of an appointed hierarchy of superiors. The appointed bureaucracy has a high degree of security of service. Under these circumstances, citizens assume and expect that the Government functionaries operate efficiently and equitably with a view to rendering services to the satisfaction of the people. In theory the lay citizens and public officials are described as rulers and servants respectively, but an image seems to grow, even in democracies and also among the municipal governments, that bureaucrats are "ruling servants" whereas the citizens are "passive recipients". These may be exaggerated assumptions.

Whether they are exaggerated or unfounded deserve to be tested because such assumptions, if true even on a minor scale, tend to undermine popular faith in democracy and public confidence in Government. We have no means of verifying these assumptions except in an indirect manner. We focussed our attention upon examining the statutory prescriptions, the functioning of administration as an instrument of the elected body, and the conformity or otherwise of the administration to these prescriptions. In the subject matter on public administration our hypothesis is that while the narrowing of distance between legal prescription and actual conformity to it is a measure of efficiency, the degree of public satisfaction is a measure of its soundness. Applying these two tests, we examined the rules and regulations and their application in practice at the execution and supervisory levels. We will have occasion to deal in detail with our findings in the subsequent chapters, but, to our regret, we found wide disparities between prescription and practice in several aspects of administration that contribute to citizen dissatisfaction.

GOALS—INCULCATION—SUPERVISION—EXECUTION CONTINUUM

We had no reason to complain about law, rules and regulations because these are necessary ingredients of any system of organised group activity. Moreover, experience enables any sound organisation to amend and modify them to suit the changing conditions or to meet with equity

and fairness the differing demands of the various individuals or groups of citizens. Laws, rules and procedures exist to subserve the people. Even though some laws, rules, etc., outlive their utility and are hard to amend without delay, the administration could mitigate the rigours of obsolete or archaic laws, procedures, etc., by virtue of the discretion vested at the policy levels, and through the power of bona fide interpretations of rules, etc., to suit the conditions in individual cases. Ultimately, it is the personnel that interpret the laws and insist upon the procedures, that render the administration satisfactory or unsatisfactory. In pursuance of this view, we made a study of the personnel who apply the rules and are in touch with the citizens. The field officers are often described as "civil servants at the grass-roots" or "at the cutting edge" of the government; and it is their calibre, character and conduct that tend to determine the efficiency or otherwise of government. We are, no doubt, aware that highly qualified and well paid officials could not be employed in large numbers at the cutting edge of government but we feel that, in any sound system of administration, a civil servant could be inducted into the goals and activities of the organisation with such thoroughness that he takes pride in belonging, in a professional way, to the organisation he serves. The process of induction is, in our view, a process of communication and inculcation resulting in commitment to serve the goals and activities of the organisation. This, in any system, is a function of the top levels in the organisation and whether the communication processes leading to commitment have been fulfilled or not, is, according to students of public administration, a function of supervision. In other words, goal formulation and the communication of these goals through appropriate systems is a function of the top-level administration, their inculcation and fulfilment is the work of supervisors, whereas the servants at the ground level would be busy operating these according to instructions. If there is too much divergence between the goals and means or wide disparities in understanding and commitment, between the top, middle and lower level personnel, it could be regarded as an indicator of malaise in administration.

The extent of gap between goals and means, and the gulf among the different level personnel reflects the deficiencies in

decision-making about policies and in the two-way communication among the personnel. Persistence of these two deficiencies over years tends to further widen the gulf between prescription and conformity and erodes the cohesiveness of an organisation. Reports, supervision and periodic evaluation, leading to periodic injections from above, are often relied upon for minimizing divergence and restoring convergence. These are necessary instruments for revitalisation of administration. We have tried to examine in our study as to how far these techniques are being utilised and with what effects.

DELAYS

There are certain universal aspects of bureaucracy—including municipal bureaucracy. The element of hierarchy, the routine of rules and the channels within the hierarchy, the interrelationships and consequent cross-references among allied departments are universal to any large scale organisation. Sometimes these produce delays which, however, irritating to those that deal with bureaucracy, could not be blotted out by those who handle it. What one could wish for is a minimization of their incidence. At the municipal level, in particular, we were hoping that, because of the limited area of operation and physical proximity of the headquarters and field offices, delays would be minimal. Contrary to our expectations we were, from the beginning, struck by the phenomenon of delays in the many areas of administration in the department. Whether these delays were caused by unrealistic prescriptions of disposals, or were deliberately adopted by the personnel for want of proper supervision from above or were connived at by the personnel at all levels for mala fide purposes are some of the issues that we were curious to explore.

COMMUNICATION

Next to delays, another significant issue, that we regarded as relevant for study was the departments' communication with the citizens. Our concern was to ascertain whether a municipal government department being at the door-steps of the citizen, was able to mobilize the willing cooperation of the citizens to adhere to the laws, prescriptions and norms by communicating to them their obligations as well as their rights. In an earlier

study³ we found that the citizens resort to hire the services of middlemen because of their ignorance of laws, rules and regulations, and also because of their estimate of the time and personal factors in pushing the papers through the labyrinth of the municipal cells and corridors. After the above study, information pamphlets were printed about matters that concern the citizens, but as with many other activities of entrenched bureaucracies, here too, there was no anxiety to ascertain the impact of these leaflets. No efforts were made to find out whether these pamphlets had been made available to the citizens or whether the citizens understood or acted upon them.

We have also attempted in our study to ascertain the communication system and the gaps therein. We did this on account of our concern about the fact that under the welfare state ideology, Governments aim at providing many services for the different categories of citizens but the Governments and the courts follow the old maxim that ignorance of law could not be pleaded by the citizen as an excuse for omission or commission of certain actions. Strangely, however, the language of law is a mystery to laymen and in addition, the bulk of the laws, rules and regulations are seldom accessible for reference or purchase and are still in an alien language. Very often, the translations do not bring out the full meaning and significance of the original. For interpretation the original English text is relied upon rather than the translation.

WORK-ENVIRONMENT

Besides communication, we were also confronted, even at the initial stages of our study, with the oft-repeated remarks by the staff that work was diverse and multiple, heavy work was a common lot, penal transfers hung like democles' sword and working environment and conditions were far from satisfactory. We were not in a position to ascertain the validity of many of these observations but the work environment and equipment would strike even a casual visitor to the municipal offices as poor and discouraging for those who wish to give their best. Little or no attention seems to have been paid to the growing volume

³A. P. Barnabas, *The Experience of Citizens in Getting Water Connections* (A Survey Report on Knowledge, Communication and Corruption), New Delhi, Indian Institute of Public Administration, 1965, p. 42.

of work. The consequent need to provide an environment and equipment appropriate for handling or managing the fast increasing volume of files and correspondence has not been appreciated as an efficiency-factor.

REACTIONS AND RESPONSES OF CITIZENS

Having dealt with some of the structural-functional aspects of bureaucracy at work in this department, we tried to ascertain the reactions and responses of citizens to their dealings with the municipal bureaucracy. Here our endeavour was to ascertain citizen-satisfaction and to find out their ideas about certain popular notions about bureaucrats—that they are discourteous, corrupt, dilatory, harassing, indifferent, etc. The findings on these aspects have been analysed and presented in the last part of the book.

As stated earlier, the present study of a municipal department, in isolation from the whole framework of municipal government, could be regarded as exploratory and experimental. In a sense, this study is also of a pilot nature because a study of the inter-relations of organisation, personnel and procedures of particular departments and the citizens' reactions and responses thereto have not come to our attention so far. Any exploratory or pilot study has many shortcomings such as of not clearly identifying many issues or of taking up not very significant issues for emphasis. We wait for the reviews and reactions to our study so as to eliminate the shortcomings in future.

The Building Department

ORGANISATION

The Building Department has a long history. It existed even before the coming into being of the Delhi Municipal Corporation. However, the present study is concerned with the Building Department since the establishment of the Corporation in 1958. The Building Department up to 1961 had two distinct branches, namely, the Building Plans Branch and the Unauthorised Constructions Branch. These two, as the name suggests, dealt with the sanction of building plans and the problems connected with unauthorised constructions respectively. In this study, only the work of the first branch is dealt with.

For a period of three years, *i.e.*, from 1958 to 1961, the submission and sanction of building plans was centralised at the Headquarters. Plans of all categories were dealt with by the Head Office at the Town Hall. The applications were received at the Headquarters and later forwarded to the various Zones for comments and verification of site, etc. When the files came back from the Zones, the building plans were finally scrutinised at the Headquarters.

In 1961, however, an attempt was made to reorganise the procedures concerning the submission and sanction of building plans. The main idea underlying the re-organisation scheme was to decentralise the work of the Building Department by giving more powers and responsibilities to the Zonal Officers. According to the re-organised scheme, the Zonal Engineers (Buildings) located in the various Zonal Offices were required to receive and scrutinise all applications for building plans at the Zonal Office level. Even though this could be regarded as a first step towards decentralisation, the sanctioning authority for the building plans continued to be the Executive Engineer

(Buildings) at the Headquarters. The Executive Engineer used to visit every zone once a week for deciding the cases. The decentralisation stopped with the receiving of building plans and did not extend to the sanctioning of the building plans. An year later, *i.e.*, in 1962, an *Ad hoc* Committee of the Corporation examined the whole question of the administrative set-up of the Municipal Corporation with special reference to decentralisation. The Committee's recommendations about decentralisation were put into effect from April, 1963. Under this arrangement, all building plan applications were to be received in the respective Zonal Offices, and the Zonal Engineers were given the powers to sanction building plans of residential buildings for plots up to 300 sq. yds. In other words, the Zonal Engineers (Buildings) were given delegated powers to a limited extent. The Executive Engineer (Buildings) at the Headquarters retained in his hands the power to sanction building plans of non-residential buildings as well as residential buildings whose plot area was above 300 sq. yds. In respect of these plots and plans, the Headquarters Engineer would visit each zone once a week and decide the cases.

In October, 1963, there was a partial recentralisation of the work because the scheme of work as implemented under the decentralisation scheme of April, 1963, was not found to be very satisfactory. Under the new scheme of recentralisation, the plans for plots above 300 sq. yds. were to be submitted at the Headquarters Office. This was because the Executive Engineer found it difficult to effectively attend to the work in nine different zones scattered all over Delhi. At the time of the study, the prevailing system was as follows :

1. Receiving and sanctioning of applications for building plans for residential plots up to 300 sq. yds. was done at the Zonal Offices.
2. Building plans for non-residential (commercial, industrial, etc.) buildings and plans relating to plots above 300 sq. yds. were dealt with at the Headquarters in the Town Hall.
3. All applications for the issue of Completion Certificates were dealt with at the respective Zonal Offices.

The Organisational Chart of the Headquarters and Zonal Offices is given on pages 19 and 20 respectively.

Organisational Chart—Building Department

(Town Hall)

Commissioner

Deputy Commissioner (E)

(Municipal Engineer)*

Executive Engineer (Building)

Assistant Engineer (Headquarters)
Section Officer/Building Inspector

Assistant Engineer (General)

Section Officers
U.D.C.

Office

Head Clerk, Assistant,
U.D.Cs. & L.D.Cs.

Activities

1. Approval of building plans for non-residential buildings.
2. Approval of building plans for residential buildings of plots above 300 sq. yds.
3. Appeal cases.

Activities

1. Policy matters.
2. Scrutiny of cases referred to by zones for advice.
3. Review cases.
4. General correspondence.
5. Issue of licences to architects.
6. Surprise inspection on receipt of complaints.

*The Municipal Engineer as such has no direct connection with the Building Department. He is, however, shown here as next to the Deputy Commissioner because the present incumbent generally presides over the Building Plan Committee at the Headquarters because of his previous association with the Building Department.

Organisational Chart — Building Department

(Zones)

Zonal Assistant Commissioner

Zonal Engineer (Buildings)

Office Staff
(Clerks, Office Inspector,
Lower Division Clerks,
Peon, etc.)

Field Staff
(Section Officers &
Building Inspectors)

Activities

1. To approve building plans in respect of plots less than 300 sq. yds.
2. To approve sanitary plans (internal fittings and drainage connections).
3. To issue completion certificates for sanitary fittings (Forms C & D).
4. To issue completion certificates for buildings after inspections.
5. To detect unauthorised constructions and take action for their demolition.
6. To process applications for stacking charges.

The Chart on page 19 gives an idea of the organisation and activities of the wing of the Department under study. In this, as in other departments, the overall control is vested in the line of authority represented by the Commissioner and his deputies and assistants and a parallel authority, particularly below the Deputy Commissioner level, is vested in the technical officers represented by the Municipal and Executive Engineer (Buildings). Attention is drawn to these parallel lines of functions because, later it will be seen that the Commissioner's authority is more formal than critical and the continuance of this authority is regarded as necessary to vest the Commissioner's Office with traditional prestige as well as for reasons of overall control on the whole gamut of activities of the Corporation.

THE LEGAL FRAMEWORK

The Building Construction bye-laws have a history dating back to 1915. These were originally framed under the Punjab Municipal Act, 1911, as applied to Delhi. According to these earliest bye-laws, any person who intended to erect or re-erect any building was required to give notice in writing of his intention to do so in a prescribed form; he was also required to submit a site plan, a building plan and other details such as the number of storeys, the position and dimensions of doors, windows, etc., the number of latrines, the purpose for which the building was to be used, and the materials to be used in the construction of walls. There were no restrictions as to who should prepare the plans and the plans were required to be submitted in duplicate. It was not necessary for the owner to do so. Even an authorised agent of the owner could apply for the construction or reconstruction of an existing building. In 1944, however, the occupation of a building newly constructed, re-constructed or vacated for reconstruction was made subject to obtaining a certificate in Form C called "Completion Certificate". The Completion Certificate was to be issued only after inspecting and ascertaining that the building had been constructed according to the sanctioned plans, and was fit for use for which it was erected or re-erected. Failure to obtain Completion Certificate would be visited by prosecution. It was in 1945 that a provision was introduced whereby the preparation of building plans by a technical person was required. The technical qualifications prescribed that the plans were

required to be prepared by a draughtsman, licensed by the Municipal Committee, which issued licences only to such persons who, in the opinion of the Municipal Engineer, were duly certified as Draughtsmen.

Between 1915 and 1950, many changes took place in Delhi. While in 1915, the Building Bye-laws were applicable only to a total area of 6.70 sq. miles, in 1950, and thereafter, it went on increasing up to 500 sq. miles. The number of people, both immigrants and refugees, swelled into millions. Many unplanned, haphazard constructions came up as a consequence of the Partition and post-Partition events in India. Delhi was worst affected by the immigration of refugees as well as people migrating to the Capital City of free India. In order to check haphazard construction and to regulate and control the building activities in Delhi, the Government of India promulgated an Ordinance on 2nd October, 1955, called "The Delhi (Control of Building Operations) Ordinance". By virtue of this Ordinance, the Delhi Development Provisional Authority was constituted. The Ordinance was replaced by the Delhi (Control of Building Operations) Act, 1957. The object of the last Act was to promote and secure the development of Delhi in accordance with the Master Plan. The Delhi Development Authority was charged with the task of preparing the plans. About the same time the Delhi Municipal Corporation was created by an Act in 1957. This Act came into force in 1958. The jurisdiction of the Corporation extended over 500 sq. miles, out of a total area of 570 sq. miles of the Union Territory of Delhi. It is under this Act and under the power to make bye-laws relating to building [Section 481(1)(f)] that the present bye-laws were formulated. The Corporation and its constituent authorities are empowered to make bye-laws in regard to any of the twenty-three matters enumerated in Annexure V. The subject-matter of the bye-laws ranges from site plan to the paving of yards.

BUILDING BYE-LAWS: (A) RELATIONS WITH THE CENTRAL GOVERNMENT

The procedure for making and amending Building Bye-laws throws an interesting sidelight on Centre-State relationships in the peculiar set-up prevailing in Delhi. Within one year of the establishment of the Corporation, the Central Government

[Section 480(1) of D.C.A.] could make any regulation. In pursuance of this power, the Central Government has framed Building Bye-laws which came into force in April, 1959. The substantive part of the Building Bye-laws will be dealt with under the respective subject-matter sub-heads. However, we may note *en passe* the relations between the Central Government and the Corporation with regard to the procedures about making and amending the Building Bye-laws.

The Act empowers the Corporation to alter or rescind any regulation made by the Central Government. However, no regulation made by the Corporation can have effect until it is approved by the Central Government. In addition, the Central Government has the power [Section 483(2)] while approving a bye-law, to make any change therein, which appears to it to be necessary. It has also the power to cancel any bye-laws previously approved. Thus, the overriding power of the Central Government over that of the Corporation is noteworthy. The overriding powers of the Central Government were incorporated into the Act, notwithstanding the following recommendation of the Report of the Delhi Municipal Corporation Enquiry Committee in 1948. The recommendation reads as follows :

“We would, therefore, not recommend any provisions of law which would be inconsistent with the proper exercise by the elected members of the new Corporation of their rights and duties as representatives of the democracy in the Delhi urban area. There can, therefore, be no veto on resolutions passed by the Corporation or prior sanction for bye-laws except where the maintenance of public order and morality is involved. As regards action or measures taken which may be *ultra vires*, the remedy should, we think, lie with the courts of law, and it should not ordinarily be for Government to interpret what is legally permissible and what is not. We can, however, conceive of occasions when there is disagreement between the Corporation and Government as to whether a resolution or bye-law is *ultra vires* or *intra vires* of the powers of the Corporation. In such cases the Government may direct that the Resolution or bye-law shall not be put into effect until the matter is cleared up in a court of law.”

The Act incorporated the clauses referred above in contravention of the recommendation.

On the face of it, the recommendation of the Delhi Municipal Corporation Enquiry Committee is a knowledgeable statement of the need to respect the autonomy of urban local self-governing bodies. However, an interesting question for students of Public Administration is divergence between the Enquiry Committee and the Central Government about Central Local Government relationships. Why did not the Central Government respect the recommendation about autonomy of the Municipal Corporation in the matter of enacting and amending bye-laws? Two theoretical lines of enquiry could be suggested for analysing answers to this question :

1. the tradition of hegemony of the Central Government over local authorities, and
2. the tacit understanding that the power would not be exercised so as to interfere with the autonomy of the local authority.

In the former, we find a conformity to tradition, and in the latter, a concession to reality. Could it therefore mean that both could be reconciled. Conformation of such reconciliation of practice with theory becomes possible only if there is a depth study of the relations between central and local authorities.

If we study in depth the actual operations of the approval and veto powers of the Central Government with a view to understanding the nature and extent of exercise of these powers over a period of time we could make some valid generalisations.

Students of Indian Local Government are aware that these Governments have developed out of a process of decentralisation with a view to inculcating among the people skills about the art of self-government within the framework of the overall direction, supervision and control of the Central Government. Consequently, the tradition of the hegemony of the Central Government manifests itself in the statutory provisions. However, in practice, the hegemony may not be as obstructive to the theme of the local bodies as one would suppose from a mere study of the constitution. If, as a result of the study in depth of the approval and veto powers of the Central Government, we realise that the statutory provisions are not frequently

exercised, we may conclude that these provisions do not infringe local autonomy in fact.

The statutory provisions no doubt reflect an expression of distrust of local authorities. On the other hand, a proper exercise of local autonomy is also a matter of concern for the Central Government, particularly in Delhi, which is the seat of national Government and is a Union Territory.

One other operational reality that lends significance to this Central-Local Government relationship is the management of local authorities by executives and Heads of Departments drawn on deputation from the Central Government. During their careers, these officers hold responsible posts in local authorities as well as in the Central Government. They may, therefore, view this power differently from different sides. When they are at the Local Governmental level, they may regard this approval and veto powers of the Central Government as interfering with the local autonomy, whereas when they are at the Centre, they may hold a different view. The Central Government may interpret these as residuary powers for use in emergencies which are likely to arise when less responsible elected representatives happen to be voted to power in the local authorities.

We have not made any study in depth of the Centre-Local Government relationships in the exercise of this power with regard to the present bye-laws. In our view, there is need for a pragmatic approach about the power of approval and veto on the part of the Central Government before we can conclude about the desirability or necessity for retention or removal of this from the Statute Book. However, one suggestion could be made. An instrument of instructions could be drafted and agreement could be arrived at about the circumstances in which the approval and veto powers reserved for the Central Government could be exercised.

Approval of Building Plans

The powers of the Delhi Municipal Corporation to regulate building activity in Delhi are derived from Section 332 of the Delhi Municipal Corporation Act of 1957, which provides that :

“No person shall erect or commence to erect any building or execute any of the works specified in Section 334, except with the previous sanction of the Commissioner nor otherwise than in accordance with the provisions of this Chapter (Chapter XVI) and of the bye-laws made under this Act in relation to erection of buildings or execution of works.”

EXISTING PROCEDURES

Notices (*i.e.*, applications) for construction of buildings, additions to or repairs to existing buildings, are required to be served on the Corporation under Section 333 and Section 334 of the Delhi Municipal Corporation Act of 1957. Every notice is required to be accompanied by documents and plans which are prescribed in the Building Bye-laws under the Act. The person giving the notice is also required to specify the purpose for which the building is intended to be used. Section 337(1) of the Act enables a citizen to proceed with his building plans unless the Commissioner in writing refuses to sanction the building plan within a period of sixty days. In 1965, the Corporation issued a pamphlet called “Facts You Must Know About Your Building Plans”, according to which “building plans are mostly finalised in 15 to 20 days and are sanctioned even subject to certain corrections or production of documents”.

Besides the Act and the Bye-laws there is also a Manual of Instructions for the use of the Building Department staff.*

*Municipal Corporation of Delhi, Manual of Instructions of the Building Department, 1965, pp. 4-5.

The Manual prescribes a complete drill in respect of plan sanctions, issue of completion certificates and detection and reporting of unauthorised structures. Section III of the Manual dealing with building plans prescribes the following procedures :

“1. Building Plans when received shall be entered in a register to be maintained by the (Building) Tax Clerk. The Tax Clerk after receiving the plans will give acknowledgement to the applicant indicating therein the date on which the Architect can make corrections in the Plans and the date on which the case will be put up before the Building Plan Committee. This date should be after a minimum of 9 days and a maximum of 15 days from the date of receipt. The plans shall then be handed over to the concerned S.O./B.I. on the same day after giving the file number, etc.

2. The S.O./B.I. after receiving the files shall enter them in a register¹ to be maintained by him.

3. The S.O./B.I. shall inspect the site and scrutinise the plan with reference to the Building Bye-laws and the Master Plan and will put it up before the A.E. within one week of the receipt of the file by him.

4. After checking up the report of the S.O./B.I. the A.E. will give his recommendation on the file for sanction or rejection of the plan. If the A.E. finds that some information is required to be called for from the applicant under Section 335(2), he shall issue orders for issuing invalid notice, informing the applicant that the plan submitted by him is incomplete and therefore invalid and asking him to supply the necessary information. The A.E. shall not keep the file with him for more than 3 days.

5. After the A.E. has given his recommendations for sanction or rejection of the plans, an agenda will be prepared for the Building Plan Committee Meeting. A brief note giving the particulars, factual position of the case and incorporating

¹ The register contains the following columns:

(i) Date of receipt in the office; (ii) Date of receipt by the S.O./B.I.; (iii) Particulars of the file; (iv) Date given to the applicant for corrections; (v) Date on which the case is due for the Building Plan Committee Meeting; (vi) Date of expiry of 60 days time-limit; (vii) Date of putting up the case to A.E.; (viii) Date of sending the file to T.P.; (ix) Date of receipt of the file from T.P.; (x) Date of putting up the case in the meeting and its decision; (xi) Date of communication of sanction/rejection; and (xii) Remarks.

the recommendations of A.E. will be given in the agenda for every case. The Agenda should be ready at least one day in advance of the Meeting.

6. The A.E. shall check up the registers of the S.O./B.I.'s at least once in a week and ensure that the plans are put up in the Meeting on due dates.

7. After the case is decided in the meeting, sanction or rejection according to the decision shall be communicated to the party without any delay. Sanction or rejection should be communicated to the applicant on the address given in the application or should be handed over personally to a representative of the applicant if he calls at the office and produces a letter of authority from the applicant.

8. The final disposal of every building plan shall be given in red ink on the original entry register. It will be the responsibility of the Tax Clerk to keep this register up-to-date. The A.E. shall also check up the register at least once in a month to ensure that it is maintained properly and there is no delay in disposal of plans."

COMMENTS ON THE EXISTING PROCEDURE

The tax clerk, after receiving the building plan, is required to give an acknowledgement (Instruction No. 1) to the applicants indicating therein the date on which the architect can make corrections in the plans and the date on which the case will be put up before the Building Plan Committee. In none of the Zones these instructions are being followed. Table I shows the percentage distribution of people and their response to our question "Were you given any date for appearing before the Building Plan Committee at the time of submitting your Plan"? The response shows that 95 per cent of the applicants were not given any date and 3 per cent expressed their ignorance. During our visits to various zones, we also enquired from the staff about acknowledgement, etc. By and large the staff said that they could not adhere to this part of the procedure as they were over-worked.

The non-adherence to this set of instructions had led to the issue of a large number of "invalid notices" the adverse consequences of which are dealt later on.

TABLE I PERCENTAGE DISTRIBUTION OF RESPONDENTS' OPINION TO THE QUESTION "WERE THEY GIVEN ANY DATE FOR APPEARING BEFORE THE BUILDING PLAN COMMITTEE AT THE TIME OF SUBMITTING THEIR PLANS?"

<i>Response</i>	<i>Percentage</i>
Yes	2·0
No	95·0
Don't know	3·0
	100·0
Number :	215

The Building Inspectors and Section Officers do not enter the particulars about the files in the registers which are to be maintained by them under Instruction No. 2. This is probably due to lack of supervision by the higher level officers. Similarly, site inspection reports under Instruction No. 3 are not submitted to the Assistant Engineer within one week of the receipt of the file. The staff and the officers attribute these failures to preoccupation with other work such as the issue of Completion Certificates and detection and action on unauthorised constructions. If this is a valid explanation for delay, the three functions of the Building Department should not be combined in a single individual. The work could be distributed on a functional instead of area basis. This would mean that in each zone, there would be separate staff for scrutinising the building plan applications.

Instruction 4 is also not followed. Consequently, the citizens are handicapped from representing their cases before the Building Planning Committee as they are not aware of the objections raised by the Department.

In the absence of proper maintenance of Registers and their periodic supervision, it is not possible to state whether the building plan applications are dealt with on "first-come-first-serve" basis or on any other basis.

Instruction No. 7 is of particular interest. It requires that the sanction or rejection should be communicated to the

party without any delay. However, it is normally the citizens or architects who chase the files in the Building Department and get the information regarding the approval or rejection of the building plans. Rarely does the Building Department take the trouble of informing citizens that their Building Plans have been sanctioned and could be collected from the office. Only in the matter of issue of invalid notices are formal letters issued. In these instances also, they wait until the statutory limit of 60 days is approaching.

Administration is thus indifferent to the prescribed drill in the disposal of papers as well as communication of decisions. It is not so much the absence of instructions as the failure to follow the instructions and, perhaps, inadequate supervision to ensure that the instructions are followed that are mainly responsible for the delays in the sanction of building plans.

In order to overcome this handicap, we suggest the preparation of a standard schedule of requirements to be checked against the proposed plan item-wise and ticked as complied with or exempted in each case. This kind of checking the building plan with reference to a schedule is the standard practice in the United Kingdom. If the predominant feature of non-conformity to the existing instructions had lead to greater satisfaction of the citizens, we could have, perhaps, suggested a modification of the rules. But the non-conformity is accentuating dissatisfaction rather than satisfaction. Therefore, a modification of the manual so as to make it conform to the prevailing practices would be a retrograde step. Our study points to the need for tightening of supervision so as to secure maximum conformity to the existing instructions.

BUILDING PLAN COMMITTEE SYSTEM

Building plan applications are scrutinized by a Building Plan Committee either at the Headquarters or in the Zones depending upon the size of the plot. The Headquarters committee scrutinizes all plans relating to residential plots measuring more than 300 sq. yards, plans for non-residential construction and appeals against rejected building plans. The Committee consists of the following :

1. The Deputy Commissioner (Chairman)
2. The Municipal Engineer

3. The Executive Engineer (Buildings)
4. The Executive Engineer (Factories)
5. The Health Officer
6. The Junior Town Planner

At the Zonal level the Committee consists of the Zonal Assistant Commissioner, the Zonal Health Officer, the Zonal Engineer (Buildings) and a representative of the Town Planning Organisation of the Corporation.

The Deputy Commissioner is the Chairman of the Committee at the Headquarters. However, due to his pre-occupation with other responsibilities, he is seldom able to attend these meetings, and the meetings are presided over by the Municipal Engineer.

The members of the Committee go through the comments made by the office as per agenda item and see whether a file should be called for or not. Almost all the cases which were recommended by the office for being sanctioned were straight-away approved by the Committee without any examination of the files. We noted that when plans were approved there was invariably a clause "subject to corrections as mentioned in the file being carried out" or "subject to compliance of objections as mentioned in the file". In no case did any member care to find out as to what exactly were the corrections which the applicant was required to carry out.

At a number of meetings of the Zonal Committees in the South Zone, West Zone and the Shahdara Zone, we observed that all the officers were not attending the weekly meetings. In some of the zones, the meetings were not even held at regular intervals as required by the Departmental instructions. The zonal meetings were mostly attended by the Zonal Engineer (Buildings) and the Town Planning Organisation's representative. The meetings were rarely attended by the Health Officer or the Zonal Assistant Commissioner. The latter's absence is particularly regrettable because he is also the Chairman of these Committees. The decisions are actually taken by the Zonal Engineer (Buildings) in consultation with the T.P.Os. representative and the files are shown to the Zonal Assistant Commissioner on the next day for purposes of completing the formalities.

The system of approving building plans through the Committee system deserves to be examined from the standpoint

of administrative requirements, citizen's satisfaction and public interest as a whole.

These Committees have been set up under the administrative orders of the Commissioner and there is no provision in the Building Bye-laws requiring their formation. The initial idea underlying the formation of the Committees appears to be to enable the citizens to represent their points of view to the Deputy Commissioner or Assistant Commissioners respectively; and to enable representatives of allied departments to sit together once a week, in order to consider the building plans from all angles, and to decide and dispose of the cases. This was intended to obviate the need for inter-departmental references and the consequential delays. Some officers in the Building Department do not appear to be very happy with the existence of the Building Plan Committees. Actually in April, 1967, a Circular was issued by the Building Department that cases in which plans had been prepared in accordance with the Building Bye-laws and are in approved areas of the Corporation, should be straightaway sanctioned by the Zonal Assistant Commissioner insofar as the zones were concerned and by the Executive Engineer insofar as the Headquarters was concerned. This new procedure, even according to the Building Department's own admission, would save about a week's time in getting the sanction of building plans. These instructions were followed for a short while in the zones, but at the Headquarters, the cases continued to be put up before the Building Plan Committee. Now, even the zones have reverted to the old system of approving the building plans through the Building Plan Committees.

As for administrative requirements, the question is whether decisions should be taken by a Committee of officers of the Corporation or by the officers of the Building Department? What useful purpose is served by these Committees? Have these Committees any functional relevance, or have these been set up to reduce the element of discretion exercised by individual officers or is it that individual officers cannot be trusted to take correct decisions? In a way, these Committees serve a negative purpose. The officers of the Corporation can face the public and say that the Building Plan Committee has rejected the building plan, and hence, they are helpless. Thus it saves them from the odium of rejecting citizens' applications. But from the Corporation's

point of view, this kind of anonymity does not help as it amounts to an abdication of responsibility of the Building Department in respect of sanctioning the building plans. For purposes of accountability, this system is defective.

We were told by the officers as well as the architects that the Building Plan Committee is a device to check the inertia of the subordinates; and that it has a salutary effect on the subordinate staff as they have to submit the cases to the Committee within fifteen days. There is a fear that in the absence of the Building Plan Committee, the Building Inspectors/Section Officers/Assistant Engineers will take their own time in handling the citizens' applications. However, our findings show that even the existence of the Committees has not reduced the element of delay. Moreover, the members of the Building Plan Committee do not address themselves to the problem of the time taken by the office in the submission of the cases to the Committee. As such, the hope that the Building Plan Committee will serve as a watch-dog to reduce delays and satisfy the beneficiaries is not borne out by citizens' experience. Most of the citizens are not well informed about the procedures for the sanction of the building plans and hence they do not represent their cases personally.

The Building Plan Committee could have been helpful to the citizens, if they were given the time and date on which their cases would be considered by the Building Plan Committee. Since departmental instructions in this respect are not being followed in any of the zones, the citizens cannot represent their cases personally. It is the architects, who, as a result of frequent visits and contacts with the Corporation, come to know as to when a particular case is coming up for consideration and make the necessary representation on behalf of their clients.

In our opinion, there are very few cases which need to be referred to the Building Plan Committee either at the Zonal level or at the Headquarters level. Referring each and every case to the Building Plan Committee appears to be a waste of time for the concerned officers. As we have already pointed out, many members of the Committee do not find time to attend these meetings. Even those members who attend these meetings rarely examine the conditions mentioned in the files as prerequisites for according the sanction.

In the light of these findings, we are of the view that the Building Plan Committee system, as it is functioning at present, is not satisfactory. There is an urgent need for re-thinking on this subject. If the purpose of the Building Plan Committees is to avoid inter-departmental references, the town planners' representative should be given full powers to give decisions on behalf of his Organisation during the meeting so that there is no necessity of referring the files to that Organisation, which inevitably leads to some delays.

If the aim is to have a high level technical committee for accepting or rejecting the building plans purely from a technical point of view, it will be advisable to associate an architect's representative also with the deliberations of this Committee. The agenda should indicate the technical problems on which the decision of the Committee is required instead of recommending cases to be sanctioned "subject to corrections being fulfilled" or "subject to conditions as laid down in the file", etc. The agenda should be circulated well in advance.

Further, if the purpose of the Committee is to provide an opportunity to citizens to plead their cases, it would be essential to inform the citizens beforehand as to when their cases are coming up for consideration. In such a situation, it would be essential for the Deputy Commissioner at the Headquarters level and the Zonal Assistant Commissioner at the Zonal level to be present at these meetings.

If the decision is to retain this Committee as a watch-dog for avoiding delays in the Building Department, then, in our view, only those cases should be referred to the Committee, which have been delayed beyond a period of time, say, fifteen days. In such a situation, the Zonal Engineer and the Executive Engineer should be given full powers to decide all the cases. If they fail to take decisions in the specified period, the cases should be required to be referred to a Central Committee with an explanation as to why the case has not been decided.

It may be argued that the Building Plan Committee is an all-purpose Committee and it has to pay attention to all the objectives enumerated above. Even if it were so, there is need to state the objectives clearly so that the individual members of the Committee realise their responsibility as a team and are accountable for shortcomings in their performance.

The functioning of the Building Plan Committee, in our opinion, can be improved upon and it can be made to work as an institution which can serve the interests of the Corporation as well as those of the citizens. If this could be assured at the Zonal levels, there would not be any rational justification for the present system under which building plans up to 300 sq. yards only are dealt with at the Zonal level. All residential building plans, irrespective of the size of the plots, could be dealt with at the Zonal level.

Sanction of Building Plans : Citizens' Experiences

DELAYS

Reference has already been made to a pamphlet issued by the Corporation in 1965 called "Facts You Must Know About Your Building Plans". Though the Corporation Act provides for the acceptance or rejection of building plans within a maximum period of sixty days, the above pamphlet claims that the "building plans are mostly finalized in 15-20 days and are sanctioned even subject to certain corrections or production of documents". We wanted to test the validity of this claim, and so our respondents were asked as to how long it took them to get their building plans approved by the Corporation. As would be apparent from Table I, 42 per cent of our sample said that it took them two or more than two months to get the sanction for their plans, 21 per cent of the sample got their plans sanctioned only after more than a month, 26 per cent of the sample replied that they got their plans approved between 15-30 days. Thus, our findings do not sustain the claim made by the Building Department that plans are finalised in 15-20 days.

TABLE I PERCENTAGE DISTRIBUTION OF CITIZENS BY THE TIME TAKEN FOR GETTING SANCTION OF THE BUILDING PLANS

<i>Response</i>	<i>Percentage</i>
Less than 15 days	3.0
16-30 days	26.0
More than a month but less than two months	21.0
Two and more than two months	42.0
Don't know	3.0

This brings us to the question as to why the Corporation takes so long to approve the building plans which have been

prepared by the architects who are registered with the Corporation. A number of reasons have been advanced by the citizens, the Corporation officers and the architects.

The citizens' view is that the Corporation staff is more interested in fault-finding rather than in helping the citizens. The officials maintain that the delays occur because the plans submitted by the architects do not comply with the bye-laws and they are not accompanied with the necessary documents. Also the applicants do not carry out the corrections in time and hence the delays. The architects' view is that the various interpretations of Building Bye-laws as also the non-communication or delays in communication of the defects in the building plan applications account for the delays in carrying out corrections in time. The practice of various Zonal Engineers giving different interpretations to the bye-laws creates confusion and the rules to be followed are not always clear.

WHAT CAUSES DELAY

DEFECTIVE PLANS

One possible explanation for the delay in passing the plans would be that the people might have submitted either defective or incorrect plans, which have had to be changed later on. To ascertain whether delay was caused by the submission of defective plans, we asked our respondents whether their plans were sanctioned as originally submitted by them, or whether any modifications or alterations were made in their plans to meet the Building Department's objections. Sixty-five per cent of our sample, *i.e.*, 140 respondents, said that their plans were approved without any modifications, whereas only 34 per cent replied that their plans were sanctioned after modifications had been carried out.

Thus for purposes of analysis, the sample can be conveniently divided into two categories—respondents whose plans were sanctioned without modifications and respondents whose plans were sanctioned after some changes in the building plans had been made to meet the Building Department's objections. Table II shows the percentage distribution of people whose plans were passed without modification and the time taken in respect of those plans by the Building Department.

TABLE II PERCENTAGE DISTRIBUTION OF CITIZENS WHO SAID THEIR PLANS WERE SANCTIONED WITHOUT MODIFICATIONS AND THEIR OPINION ON THE TIME TAKEN FOR GETTING SANCTION OF BUILDING PLANS

<i>Zone</i>	<i>Less than 15 days</i>	<i>16—30 days</i>	<i>31—60 days</i>	<i>More than 2 months</i>	<i>Don't know</i>	<i>Total</i>
West Zone	7	18	16	29	2	72
South Zone	5	22	6	13	—	46
Shahdara	—	2	3	17	—	22
	12	42	25	59	2	140
	8.5%	30.0%	18%	42.5%	1.0%	100

Table III shows the percentage distribution of people whose building plans were passed only after modifications had been made in the original plans to meet the objections raised by the Building Department.

TABLE III PERCENTAGE DISTRIBUTION OF CITIZENS WHOSE PLANS WERE SANCTIONED WITH MODIFICATIONS ACCORDING TO THEIR OPINION ON THE TIME TAKEN FOR SANCTION

<i>Zone</i>	<i>Less than 15 days</i>	<i>16—30 days</i>	<i>31—60 days</i>	<i>More than 2 months</i>	<i>Don't know</i>	<i>Total</i>
West Zone	2	7	8	20	—	37
South Zone	4	9	11	8	1	33
Shahdara	—	—	1	4	—	5
	6	16	20	32	1	75
	8%	21%	27%	43%	1%	100

Both the tables show that only about 8 per cent of the total respondents could get the sanction in less than 15 days irrespective of the fact whether the plans needed modifications or not. This would show that the delay is almost universal, and it cannot be related to the technical correctness or otherwise of the building plans received by the Building Department.

ISSUE OF INVALID NOTICES

The main cause of delay in our opinion is the issue of 'invalid notice' in respect of building plan applications. An 'invalid notice' is a notice which is issued to the applicant when his plan is found to be either defective or incomplete and the issue of invalid notice discharges the Corporation from its statutory duty of accepting or rejecting the plan within the period of 60 days as required under the Act. An invalid notice is issued under Clause 335(2) of the Municipal Corporation Act of 1957 and it reads as follows :

"No notice shall be valid until the information required under sub-section (I) and any further information or plans which may be required by bye-laws made in this behalf are furnished to the satisfaction of the Commissioner along with the notice."*

The invalid notice is sent either to the architect or to the citizen himself, depending upon the address he has given. Our observations of a number of files in different zones have revealed that invalid notices have been issued in almost all the cases, though, according to our data, only 17 per cent of the citizens remember to have received invalid notices. It is not difficult to resolve this apparent discrepancy. Of the 215 citizens whom we have interviewed, 200 people, *i.e.*, 93 per cent of our respondents submitted their building plans through their architects and it is quite likely that the architects have been handling the invalid notices on behalf of the citizens. The files from the Building Department bear ample evidence to show that there is hardly a case in which invalid notice is not issued after the submission of building plan for approval. What could be the reason for the issue of invalid notices in such a large number of cases and what are the possible remedies for reducing these notices?

Since 65 per cent of our respondents said that their plans were passed without any modifications, the reasons which led to the issue of invalid notices must be traced to defects other than the defects in the building plans submitted by the citizens. The defects could be the non-fulfilment of the various pre-conditions imposed by the Corporation for entertaining building

*A building plan application is technically a "notice" to the Corporation indicating citizens' intention to construct a building.

plan applications. The issue of invalid notices in almost every case shows that the citizens by and large are not aware of the documents which they have to submit along with their building plans and the architects also do not take the trouble to comply with all the formalities while submitting plans on behalf of their clients. The documents which the Corporation requires are :

1. Proof of ownership.
2. Payment of vacant plot tax.
3. House tax on existing structure.
4. Completion certificate in case of existing building, and if the same is not available, the original sanction which led to the construction of the existing structure.
5. The purposes to which the existing building, if any, is being used and whether this involves any contravention of the building bye-laws.

We wanted to test the awareness of our respondents insofar as these pre-conditions are concerned. They were specifically asked whether they are aware that the owner of a plot is required to fulfil some preliminary conditions before the building plan application is accepted by the Corporation. Fifty-four per cent replied to the question in the affirmative and the remaining 46 per cent said that they were not aware. When asked next to name these pre-conditions, 92 per cent of the respondents to whom this question was applicable mentioned only one or two pre-conditions. This shows that there is a wide gap of communication between the citizens and the Administration.

A pamphlet called "Facts You Must Know About Your Building Plans" was printed by the Corporation. But, during the course of our visits to the various Zonal Offices we could not find even a single copy of the pamphlet. Apart from this, of the 215 respondents who are asked whether they were aware that the Corporation had published this pamphlet, 202 replied in the negative. Thus, 94 per cent of the respondents who had actually constructed their houses were not aware of the availability of such a pamphlet. We, therefore, suggest that the Corporation should supply to the citizens cyclostyled or printed copies containing requirements to be fulfilled by them along with the building plan application forms.

In passing, it may be mentioned that even for the building plan application forms, the citizens are advised to contact the

architects. There seems to be a reluctance on the part of the Corporation staff to give information to the citizens directly. This phenomenon promotes the role of middlemen and increases the distance between the citizen and the Administration.

Another cause for the issue of invalid notices, as mentioned by the architects, relates to the competence of the staff of the Building Department which examines the building plans at the first instance. Many architects feel that the majority of the Building Inspectors who examine the building plans do not appear to be motivated towards an efficient discharge of their duties. A very large number of invalid notices are issued on flimsy grounds with the ulterior motive of harassing the citizens so that they should offer bribes. The objections are hardly sound from a technical angle. How harassing these notices could be, is borne out by the experience of an architect who was asked to produce proof of ownership for the neighbouring plot in addition to the documents relating to his clients' plot. Similarly, another citizen was asked to pay a fine for a culvert which he was alleged to have built in front of the house even though there was no drain.

Another source of harassment is production of original sanctions for the existing structure. If a citizen wants to make additions or alterations to his house, he has to prove that the existing structure which in some cases would be 20-30 years old was constructed according to the building bye-laws prevailing at that time. The multiplicity of municipal bodies and the diversities in the rates and regulations of those bodies before the formation of the present Corporation in 1957 adds to the confusion in this respect.

THE ROLE OF THE ARCHITECT

The first contact which a citizen usually makes with the Building Department of the Corporation for the purpose of constructing a house in Delhi is usually through the architect. The Corporation accepts building plans only when they have been prepared by the architects registered with the Corporation. Most of the citizens (80 per cent) are aware that their building plans would be rejected unless these were prepared by a registered architect. Fifteen per cent were not aware of it. The Tables IV and V show the percentage distribution of the

citizens whose plans were sanctioned with modifications and without modifications respectively, and their opinion about the question as to who prepared the building plan for them. This has reference to the Department's allegation that delays are due to the preparation of building plans by non-registered architects.

TABLE IV PERCENTAGE DISTRIBUTION OF CITIZENS WHOSE PLANS WERE SANCTIONED WITH MODIFICATION AND THEIR OPINION TO THE QUESTION "WHO PREPARED THE PLAN FOR YOUR HOUSE"

<i>Zone</i>	<i>Registered Architect</i>	<i>Unregis- tered Architect</i>	<i>Don't know</i>	<i>Std. Plan</i>	<i>Self</i>	<i>Total</i>
West Zone	28	4	3	1	1	37
South Zone	25	5	3	—	—	33
Shahdara	5	—	—	—	—	5
	58	9	6	1	1	75
	78%	12%	8%	1%	1%	

TABLE V PERCENTAGE DISTRIBUTION OF CITIZENS WHO SAID THEIR PLANS WERE SANCTIONED WITHOUT MODIFICATIONS AND THEIR OPINION TO THE QUESTION "WHO PREPARED THE PLAN FOR YOUR HOUSE"

<i>Zone</i>	<i>Self</i>	<i>Registered Architect</i>	<i>Unregis- tered Architect</i>	<i>Others</i>	<i>Don't know</i>	<i>Std. Plan</i>	<i>Total</i>
West Zone	—	49	18	1	1	3	72
South Zone	—	34	2	1	9	—	46
Shahdara	—	21	1	—	—	—	22
	—	104	21	2	10	3	140
	—	74%	15%	1.5%	7.5%	2.0%	100

It will be observed from these two tables that 78 per cent of the respondents in Table IV and 74 per cent of the respondents in Table V got their plans prepared from approved architects of

the Corporation. The allegation of the Department that defective plans are prepared by unregistered architects is not corroborated. Most of the citizens go to the Corporation through registered architects.

TABLE VI PERCENTAGE DISTRIBUTION OF CITIZENS ACCORDING TO THEIR OPINION ON HOW THEIR PLANS WERE FINALLY APPROVED

<i>Response</i>	<i>Percentage</i>
1. Through normal procedure	4.0
2. By personal follow-up	10.0
3. Through architects' help	82.0
4. Through the efforts of some councillors	1.0
5. By paying money to officials at different levels	2.0
6. Combination of 2 and 3	1.0

Most of the registered architects blame the Corporation staff for delay in sanction of building plans through the mechanism of invalid notices because, in their opinion, the Corporation staff is more interested in fault-finding than in helping the citizens in getting expeditious sanctions.

Though there is no doubt that the Corporation staff must share a good deal of blame for the indiscriminate manner in which invalid notices are issued, yet, the architects' and citizens' responsibility for the delay cannot be minimised. Since the architects are the link between the Administration and the citizens, they have to guide the citizens on proper lines, and ensure that the rules and regulations of the Corporation are followed. The building owner normally has no technical knowledge and the architect is his technical adviser. The architect must not allow this judgement to be clouded by the requirements of his client, if, in his opinion, the requirements would lead to the violation of the building bye-laws. The architect should also ensure that all the documents required by the Building Department are submitted along with the building plans so that the need for invalid notices is minimised. If the Corporation

finds some architects persistently submitting defective plans there should be no hesitation in revoking their licences. The Corporation should also make systematic arrangements for narrowing the gap of communication between the citizens and the Administration.

Since the architects are a link between the citizens and the Administration, the Administration should ensure that the architects function to the best advantage of the citizens as well as the Corporation. There should be institutional arrangements for the flow of information between the architects and the Building Department so that architects are not left to the mercy of the Building Inspectors or Section Officers to find out the rules and regulations. Major amendments of the bye-laws were carried out in 1964, but the up-to-date copy of the bye-laws in English has been printed only in 1967. In the interests of good administration, the principles and policies of the Building Department as well as its bye-laws and regulations should be made known to all the registered architects of the Corporation through written communications.

The issue of invalid notices is also utilised by the Corporation Staff to exploit the citizens. The citizen on the one hand, is given to understand that his plan has been passed, and, yet, due to the ubiquitous presence of the clause, "subject to the fulfilment of conditions", he cannot immediately collect the plan. Further the removal of defects depends upon the accessibility of the staff and the availability of the file at the time that the citizen or the architect seeks to make the corrections. It is only after repeated visits that the citizen can carry out the corrections in his plan; or if he is a worldly wise person, he may resort to pay speed money. During the course of our visits to the zones, we observed that even when the plans had been duly approved and passed by the Building Plan Committee, these were not being returned to the citizens expeditiously because either the clerk concerned was not available or he usually gave the excuse that the file was with some dealing assistant or that the Assistant Engineer had not signed the papers or some such other excuse. A good deal of the blame for this state of affairs, in our view, is to be borne by the Assistant Engineers of the zones concerned. Though they are expected to check and verify the registers of the zones, yet, we could not find any evidence that the registers

had been checked. When complaints are made by the citizens to the higher-ups, the usual reply is that the plans have already been passed and the citizen could collect them at any time. But he is sent from pillar to post for collecting his plans. If the suggestions made above in respect of dealings with the architects and the improvements in communication are effected, we hope that the prevailing phenomena of harassment to the citizens at the stage of approval of the Building plans would be considerably reduced.

OFFICIALS' VIEWPOINT

The officials have given some suggestion which, in their opinion, would expedite the sanction of building plans. They feel that all the building plans should be scrutinised at one place, *i.e.*, Headquarters, and the staff dealing with building plans should not be entrusted with any other work. They also feel that the Department should maintain proper records so as to facilitate references to the previous sanctions which might have been issued in respect of a particular plot or house. Finally, they have suggested that the layout plans of the approved colonies, indicating front, rear and side set-backs should be supplied by the Town Planners' Organisation to the Building Department staff for ready reference.

ARCHITECTS' VIEWPOINT

From the correspondence we had with the architects, the following views and suggestions have emerged :

1. At present, most of the architects feel that building bye-laws are vague and capable of various interpretations to suit individual applicants and particular officers.
2. The policy of the Civic Body changes every now and then with the appointment of new officers and transfers of old ones.
3. Schemes are rejected outright on flimsy grounds or clerical errors without providing sufficient opportunity to the designer concerned for making corrections.
4. The time limit for the sanction of building plans is overcome on technical grounds.
5. Unqualified staff is employed for scrutinising building plans.

Some suggestions made by the registered architects for improvement are as follows :

1. Building bye-laws should be standardised so that a uniform interpretation in a particular zone is possible. At present, there are different rules for different localities but these have not been codified and therefore, whenever a new Engineer takes over, there is confusion.
2. When there are differences of opinion between the applicants and the Civic Body, the matter should be referable to an independent technical authority for correct interpretation of the building bye-laws.
3. No scheme should be rejected if it can be sanctioned after the necessary corrections have been carried out. If there are some minor corrections in the plans the Overseer concerned should rectify the plans himself.
4. When new bye-laws are proposed to be enacted, the registered architects and engineers should be consulted and for this purpose, the Executive Engineer of the Corporation, in conjunction with the Zonal Engineer, should hold half-yearly conferences with the architects. This will also provide an opportunity to the registered architects to bring to the fore the difficulties in their way.
5. Buildings situated on plots of more than 200 sq. yards should be supervised by a registered Engineer or architect and the certificate of completion should be insisted upon. This will stop "jerry buildings" and buildings completed will be more in keeping with the sanctioned plans.
6. Every plan should be sanctioned within the time limit of fifteen days and no invalid notice should be issued for minor corrections which lead to delays.
7. The Corporation should intimate the architects the changes and amendments in the building bye-laws from time to time.
8. The appeals with regard to the rejected plans should be heard in person by an official higher than the rejecting authority and a definite time, date and place should be intimated to the architects in good time to review their cases and a time limit should also be fixed for the hearing of appeals.

9. Some of the leading architects should be co-opted on the Committee whose suggestions and advice would be of great help and this would minimise the harassment of the citizens.
10. The Building Department should be reorganised and only qualified professional people should be appointed to scrutinise the plans submitted for approval.
11. The Building Department staff must be available for help and advice to the architects for the clarification of Building Bye-laws.

EXTENT OF CORRUPTION : BUILDING PLAN APPROVAL STAGE

There is a general feeling among the citizens that the Corporation machinery cannot be persuaded to take decisions unless the citizens either bring pressure or pay bribes either directly or through some middlemen to get the papers moving. So a number of related questions about the extent of corruption in the Building Department at the stage of sanctioning of building plans were included in our questionnaires. The respondents were asked whether they had to pay any money to the Corporation staff to get their plans sanctioned and if so, whether such payment was made directly to the staff or through the architects. It is often said that the architects demand some money from their clients for paying the Corporation staff in order to expedite the sanction of their building plans. However, when our respondents were asked whether the architects had made such a request to them, 71 per cent of them said that no such request was made to them; only 28 per cent replied that they were asked to pay an additional amount. The amounts they paid ranged from Rs. 5 to Rs. 20. However, the general impression of the citizens is that some of the architects include in their fees a small amount to be paid to the Corporation staff to expedite sanction. It could be that 71 per cent of our respondents, who said that they did not pay, were probably not willing to admit to being a party to such an arrangement.

Only 60 people out of a sample of 215 had said that they had been asked by the architects to pay an additional amount to be passed on to the Corporation staff. They were then asked whether they were satisfied that the architects had actually passed on the money to someone in the Corporation or not.

Roughly about two-thirds of them were satisfied that the architects must have passed on the money to some officials of the Corporation. However, about one-third of them were not sure.

The next question whether they thought it was necessary to make the payment, was asked of persons, numbering 68, who had paid money directly or indirectly through the architect. Half of them replied that only by making payment they could get their cases expedited; about one-third gave the interesting reply that nothing ever gets done unless bribe is given to the Corporation staff.

When asked next who in their opinion were responsible for corruption, about 39 per cent squarely put the blame on the officials; 32 per cent of them thought that the officials, architects as well as citizens were all equally responsible for this state of affairs. In the opinion of 14 per cent, it was only the architects and the officials who were responsible for corruption.

There is a general feeling that corruption prevails everywhere. However, the citizens' attitudes, as indicated in Table VI, raise doubts about the validity of this assumption. The architects who come in daily contact with the Department allege that they have to pay small amounts to officials at lower levels to expedite the sanction of building plans in almost all cases. As one architect puts it: "Even a simple job of getting attested copies of sanctioned plans, a job of two minutes, requires graft of Rs. 15 to 20, or otherwise unnecessary harassment of two to three weeks."

RESPONDENTS' VIEW ABOUT REASONABLE TIME

As already mentioned, our findings refute the claim made by the Building Department that Building Plans are finalised in 15-20 days. The respondents were asked to state on the basis of their experience, whether they consider the time taken for giving the sanction was reasonable or too long. Fiftyfour per cent of them felt it was too long whereas the remaining 46 per cent thought the time taken was reasonable.

When questioned what in their view should be the reasonable time, 53 per cent of the citizens to whom this question was applicable replied that between 15-30 days is reasonable. Thirtyfour per cent, however, felt that sanction should be given in less than

a fortnight. A small percentage (10 per cent) said between 30-60 days would be a reasonable time. (Table VII).

TABLE VII PERCENTAGE DISTRIBUTION OF CITIZENS ON THEIR OPINION TO THE QUESTION "WHAT IN THEIR VIEW SHOULD BE THE REASONABLE TIME FOR SANCTIONING OF BUILDING PLANS"

<i>Response</i>	<i>Percentage</i>
Less than a fortnight	34
15-30 days	53
30-60 days	10
More than 2 months	3
Number—115	

That there are delays in the sanction of building plans is evident on all counts. Most of these could be attributed to the phenomena of invalid notices. The remedy for eliminating delays, corruption and harassment would lie in the direction of efforts towards minimization of the issue of invalid notices.

Inspection

The Building Department of the Corporation is required to carry out site-inspection at the following stages of the construction of a house :

- (i) Inspection at the building plan approval stage,
- (ii) Inspection at the time of starting construction,
- (iii) Inspection during construction, and
- (iv) Inspection at the stage of the issue of Completion Certificate.

We may deal with these seriatim and examine as to how the Building Department is performing its inspection duties.

INSPECTION AT THE BUILDING PLAN APPROVAL STAGES

The inspection at this stage is primarily required to verify the building plan submitted by a citizen with reference to the actual size of the plot, and its layout for verifying the correctness of the details in the plans. We find that inspection at this stage is perfunctory, and it appears that formalities are completed in the office. There does not seem to be any detailed inspection of newly proposed construction sites.

The site is inspected only when the applicant has applied for additions or alterations to an existing structure. This is done with a view to checking whether the existing structures are in accordance with the sanctioned plan, and whether they were being utilised for the purpose for which they had been sanctioned, or for some other purpose. The inspecting staff faces some difficulties due to inaccessibility or non-availability of old records. This, coupled with the failure of the citizens to provide adequate proof of the existing structure, makes the inspectors' job extremely difficult.

INSPECTION AT THE TIME OF STARTING CONSTRUCTION

The citizen is required to give a notice to the Corporation, (*vide* bye-law 12) at the time of commencement of the construction of the building. The construction of the building is required to be commenced within a period of one year from the date of the sanction of the building plan. With a view to getting the exact date on which the building was started, the citizen is required to give a notice to the Corporation which is required to verify whether the construction had actually started or not. Probably, the intention of the Corporation is to check the unauthorised constructions with the help of this clause. One of the duties of the Building Inspector or Overseer is to keep track of all constructions going on in his area and to verify whether the constructions are authorised or unauthorised. In case the citizen has not given any notice about commencement of the building, the Inspector presumes it to be an unauthorised construction.

We asked our respondents to tell us whether they had served any notice at the time of starting their construction as required by the Corporation and if the notice had been served, whether any inspection was carried out by the Corporation staff. Fortythree per cent of the respondents (Table I) had served the notice, whereas 33 per cent had not served any notice. Eleven per cent of the respondents said that they were not aware that a notice had to be served. Thirteen per cent of the respondents did not know whether the notice had been served or not, since they believed that their architect may perhaps have served the notice. The Corporation did not take any penal action as provided in the Twelfth Schedule of the Corporation Act against the 90 citizens (44 per cent of the sample) who had not served any notice. This shows that the Department considers notice at this stage as an inconsequential formality. It is also difficult to believe that this notice helps the Corporation in checking unauthorised construction since the field visits are seldom and no action is taken when no notice is served.

We also asked our respondents to tell us whether any officer of the Corporation visited the site to verify the start of the construction when the notice had been served by them. Nearly 60 per cent of the sample said that nobody from the Corporation visited them.

TABLE I DID YOU SERVE ANY NOTICE ON THE CORPORATION
AT THE TIME OF STARTING OF CONSTRUCTION?

<i>Response</i>	<i>Percentage</i>
1. Don't know, the architect may have served	13
2. Served the notice	43
3. Did not serve any notice	33
4. Not aware that a notice has to be served	11
	100

TABLE II IF NOTICE WAS SERVED, DID ANY OFFICER OF THE
CORPORATION VISIT YOUR SITE TO VERIFY THE START
OF CONSTRUCTION?

<i>Response</i>	<i>Percentage</i>
1. No	59
2. Yes	28.5
3. Don't know	12.5

Apart from notices and inspections, the rules relating to the period of construction also need to be examined. The rules should be amended to make the building plan valid for a period of two years keeping in view the difficulties concerning labour, securing the construction materials and the necessary finances. This may be regarded as reasonable period for completing the constructing of the house from the date of issue of the sanction of the building plans. However, for starting the construction work, a period of six months from the date of issue of sanction of the plan may be insisted upon. To secure initial inspection at the stage of laying the foundations for the building the existing rules need strict enforcement. Inspection of the foundations is necessary because later on this type of inspection is almost impossible. The Corporation should satisfy itself about conformity to the prescriptions about foundations. In case the building is not completed within two years, the citizen should be required to approach the Corporation for revalidation of the earlier sanction.

INSPECTION DURING THE COURSE OF CONSTRUCTION

The only way of ensuring that a city grows and develops in a planned manner and that houses are constructed according to approved building plans, would be by carrying out inspections during the course of construction of a house. This is a very important stage, and if there is no inspection at this stage, there is likely to be deviations resulting in harassment and corruption at the stage of the issue of completion certificates. The functions of a local body are not to be restricted to a mere enforcement of the rules and regulations, but these should include rendering all the necessary help and guidance to a citizen. This is the core of service administration in a welfare state in contrast to the penal approach under a police state. Most of the citizens construct their houses once in a lifetime. As our data reveals, a majority of the citizens who have constructed their houses in Delhi belong to the middle income group and they could hardly be expected to construct a house under the supervision of either an experienced and renowned architect or/under the guidance of building consultants. Since they pay to the Corporation the building tax also, it should be obligatory on the part of the Corporation to help the citizens at the stage of the actual construction of the house. Inspection at the stage of completion certificate may get for the Corporation a certain amount of revenue, but what it will amount to will hardly be commensurate with the satisfaction that a citizen might get from the free service which the Corporation could render to him in the shape of advice flowing from inspection during the course of construction of his house.

We asked our respondents whether any inspections were carried out by the Corporation staff during the course of construction and whether any advice or help was rendered by the Corporation staff to them. Seventy per cent of the sample (Table III) out of a total of 215 respondents said that nobody ever visited their house during the course of its construction. An insignificant 6 per cent said that they did not know whether a visit was made or not; whereas a quarter of the sample said that somebody from the Corporation had visited their house during the course of construction. Here, it may be mentioned that the 50 citizens who said that somebody from the Corporation had visited their house during construction were not specifically aware whether

the officer who visited them was from the Building Department or from some other related department such as Water or Power Department.

TABLE III WERE ANY INSPECTIONS CARRIED OUT BY THE CORPORATION DURING THE COURSE OF CONSTRUCTION?

<i>Response</i>	<i>Percentage</i>
Don't know	6
Yes	24
No	70
	100

We also asked the officers of the Corporation during the course of interviews with them whether they found it possible to inspect the houses when they were being constructed and if, in their opinion, such visits had been useful. A majority of the officers said that they had no time for this type of work which they considered to be unnecessary and superfluous. However, in our opinion, it will be in the best interests of good administration, if the Corporation staff performs not merely regulatory duties but also guides the citizens. This could be possible if advice and assistance is rendered to the citizens without grudge by the local authorities.

At present there is no provision in the Building Department to provide consultancy service to the house-builders in Delhi. We suggest that the Corporation should start a consultancy service as part of the activities of the Building Department and make available the services of its experts in respect of preparation of plans and their execution.

INSPECTION AT THE TIME OF ISSUE OF COMPLETION CERTIFICATE

The purpose of inspection at this stage is to see that the buildings which have been constructed conform to the requirements of the Building Bye-laws in respect of structural safety, fire hazards, hygienic and sanitary conditions, etc., both inside and outside the building. Finally the inspecting staff has also to ensure that the buildings have been completed in accordance with the sanctioned plans, and are fit for occupation.

The respondents were asked a few questions in order to find out as to what extent the Department is discharging its duties* at this particular stage of inspection. About 62 per cent of our total sample had applied for a completion certificate. They were asked whether any official had inspected their buildings after their application for completion certificate. Nearly 75 per cent of them answered in the affirmative whereas about a quarter of them replied in the negative.

The respondents' replies about the time taken by the staff to inspect the building is given in Table IV.

TABLE IV IF YES, HOW LONG AFTER THE APPLICATION WAS MADE DID THE CORPORATION STAFF VISIT YOUR HOUSE?

<i>Response</i>	<i>Percentage</i>
Don't know	3
Within a week	23
Within a fortnight	32
Within a month	22
Within six weeks	11
More than six weeks	9
	100

*At this stage the procedure is:

1. Applications for completion certificates when received shall be entered in a register to be maintained by the Tax Clerk. The application should be accompanied by a fee of Rs. 3 and approved 'C' & 'D' forms. These applications after giving file number, etc., shall be handed over to the concerned S.O./B.I.

2. The S.O./B.I. after receiving the files shall enter them in a register to be maintained by him.

3. The S.O./B.I. shall inspect the site and compare the building with sanctioned plan and shall submit his report to the A.E. within 15 days from receipt of the file by him.

4. In case there are no deviations in the building, the A.E. shall pass orders for issuing the completion certificate. In case there are deviations, the same shall be regularised if compoundable according to rules and the compounding fee after it is approved by the Z.A.C. shall be communicated to the applicant. The A.E. shall not keep the file with him for more than 3 days.

As was indicated earlier, the inspection performed by the officials of the Building Department leaves much to be desired both at the time of commencement and during the course of construction. The staff is in fact conspicuously absent at these two stages of inspection. However, at the stage of issue of completion certificates the Building Department staff bestir themselves into activity and appear to take their inspection duties more seriously. This fact immediately struck us and made us curious to enquire as to why the staff perform their duties at this stage with such alacrity? One explanation could be that the Building Department is very much concerned with the structural safety of the building.

The other explanation could be the opportunities for application or non-application of punitive rules and the power to exercise discretion in relation to the interpretation of rules under the bye-laws. There is a direct confrontation between the officials and the citizen since the statutes do not require the architects' or engineers' signature on the application. This is the most dreaded moment as far as the house-builder is concerned but, for the officials, this is the time that they have been looking forward to. It is during this time that the officials of the Department have to verify whether the construction is in accordance with the sanctioned plan or whether the house-builder had made any deviations. If there are any deviations from the sanctioned plan the Corporation staff has to determine whether these could be regularised or demolished. A good deal of discretion vests in the lower-level staff as regards reporting or non-reporting of deviations. Since there is hardly any building which is constructed without deviations, it offers great scope for the officials to bring into full play their intimidating tactics. Opportunities for corrupt practices manifest themselves here as the house builders and officials try to arrive at private settlement as regards the penalty to be paid. Those house-builders who refuse to be a party to any under-hand dealings are threatened with demolition of their constructions. Since no citizen will readily agree to demolition of his building, he has either to pay a very high penalty or resort to the common practice of bribing the inspecting staff to ignore deviations. It could, therefore, be argued that the reason for interest in inspections at this stage could be traced to the scope for making private

gain out of public office.

The harassment to the citizens could possibly be reduced by improving inspection during the course of construction, and by providing advice and guidance to the house-builder. The Department is at present more inclined towards policing than offering consultancy services. In an ideal situation there would be a combination of both regulatory and service functions. At present only the policing function is very much evident, and that too at the last stage, *i.e.*, at the time of the issue of completion certificate.

The Building Department which is entrusted with the important job of regulating Building activities should set in motion its inspection machinery right from the inception of construction. When a building has been completed, there is nothing left to regulate. If inspection has to have any meaning and validity, it should commence right from the beginning and go on till the construction is completed. "The inspection should", as suggested by J. B. Wikeley*, "take the form of routine inspections whether notices have been received or not. All inspections should be recorded on a record card with notes as to matters found to be wrong or likely to require further visits". He further recommends that "in all cases of default, a preliminary or departmental contravention notice should be served by the surveyor who has that power and duty, the case being reported, if necessary, to the next committee for statutory action" We consider that the Building Department could profitably follow the above suggestions.

*J. B. Wikeley, *Municipal Engineering Law and Administration*, London, C. R. Books Ltd., 1964, p. 218.

Completion Certificate: Citizens' Experiences

The difficulties which a citizen has to experience for obtaining the completion certificate are far greater than the difficulties in getting his building plan sanctioned. At the building plan approval stage, there is delay and harassment but a citizen is likely to get his plan approved through normal procedures, provided he is prepared to wait for some time. The delay may be irritating but the corruption at that stage is comparatively less.

However, a citizen has to face many difficulties for obtaining completion certificate. The application for completion certificate is required to be submitted within one month of the completion of the building. Clause 346(2) of the Corporation Act states that "No person shall occupy or permit to be occupied any such building or use or permit to be used any building or a part thereof affected by any such work, until permission has been granted by the Corporation in this behalf in accordance with the bye-laws made under this Act."

"Provided that if the Commissioner fails within a period of 30 days after the receipt of the notice of completion to communicate his refusal to grant such permission, such permission shall be deemed to have been granted."

DELAYS IN THE ISSUE OF COMPLETION CERTIFICATES

There is delay in the issue of completion certificates because the houses are not constructed exactly according to sanctioned plans. Many people encroach upon the set-backs which is not permitted by bye-laws. In all such cases, completion certificate is held up for want of regularisation of deviations or removal of encroachments. In many cases the deviations are not compoundable as per Departments' policy. Penalties for compounding deviations are heavy and people delay the payment

of fines in the hope that Building Bye-laws will be liberalised or that they could get over the objections through pressures. Sometimes delays are caused because the sanctioned plans are not easily traceable in the Zones. The officials feel that the delays are due to multiple types of work assigned to Section Officers and Building Inspectors.

In our sample, 133 persons had applied for completion certificate. Their opinion about the time taken for obtaining the same is given in Table I. From the table we see that only an insignificant percentage of respondents got the certificate within fifteen days whereas a further 17 per cent got it within the statutory period of thirty days. Over one-third of the respondents were awaiting the completion certificate at the time of interview.

TABLE I PERCENTAGE DISTRIBUTION OF CITIZENS ACCORDING TO THEIR OPINION ON THE TIME TAKEN FOR THE ISSUE OF COMPLETION CERTIFICATE

<i>Response</i>	<i>Percentage</i>
Less than a fortnight	4.5
15—30 days.	17.0
31—60 days	14.0
More than 2 months	20.0
Still to be issued	37.0
Completion certificate refused	3.0
Don't know	4.5
Number = 133	100.0

A detailed break-up of the 37 per cent of the respondents who were waiting for the completion certificate is given in Table II. From the first column we see that eight per cent of the respondents have been waiting for less than a month whereas in the rest 92 per cent, the range of waiting varies from anywhere between two months to two and a half years.

Among the respondents 71 per cent could not get their completion certificate within the stipulated period. As in the case of sanction of building plans, the authorities do not observe the time limit set by themselves.

TABLE II PERCENTAGE DISTRIBUTION OF CITIZENS WHO HAVE NOT BEEN ISSUED

<i>Response</i>	<i>West Zone</i>	<i>South Zone</i>	<i>Shah- dara</i>	<i>Total</i>	<i>Per- centage</i>
Less than a month	2	2	—	4	8
Less than 6 months	3	5	—	8	16
6 months but less than a year	3	5	1	9	18
Between 1 to 1½ years	13	—	7	20	42
Between 2 to 2½ years	3	—	—	3	6
Don't remember	3	2	—	5	10
	27	14	8	49	100

The delay and harassment in obtaining completion certificates springs partly from the attitude of the staff and partly from the behaviour of the citizens. The staff seems to take advantage of the discretionary powers which offer them scope to intimidate the public and extort bribes. Much of the harassment could be minimised if the citizens were to construct their houses in accordance with the sanctioned plans. As one of the leading architects has said "As regards completion certificate, there is no trouble in obtaining it, if the building is constructed in accordance with the sanctioned plans, but invariably, it so happens that unauthorised additions or alterations are introduced during the course of construction for which the owner has to face the attendant consequences". In the succeeding pages, we will discuss citizens' responsibilities as well as difficulties in conforming to sanctioned plans, the extent of corruption at the time of the completion certificate and possible ways to reduce it.

CONFORMITY TO SANCTIONED PLANS : CITIZENS' RESPONSIBILITIES

The officials of the Building Department are responsible to enforce Building Bye-laws and secure compliance from the citizens. But no less is the responsibility of the citizens themselves to conform to regulations while constructing their houses. It is an onerous and often an impossible task for the Department to supervise all constructions round the clock even when it has adequate resources and is working at optimum efficiency. When

such is not the case, there is laxity in enforcing rules and regulations. This leads to a situation where citizens are tempted to flout rules with impunity; whereas, actually, there is need for some voluntary cooperation and self-imposed restraint from the public.

When a house-builder gets his building plan approved, it is incumbent upon him to conform to the sanctioned plan. But it is alleged by the officials that the citizens deliberately deviate from the sanctioned plans. This allegation is substantiated as a majority of respondents have admitted to making deviations deliberately.

This leads us to the question as to why does the public deviate from the sanctioned plans? Is it because the Building Bye-laws are defective or are the citizens trying to exploit the laxity in supervision of the Department to gain some undue advantage by excess coverage, possibly with the connivance of a few corrupt officials or is it inherently difficult to strictly conform to the sanctioned plans? We asked our respondents to give answers to questions 34, 35 and 36 and indicate the reasons for making deviations. Broadly, it would seem that they had made deviations in their constructions to derive convenience and comfort in living and for some aesthetic reasons. Some felt that deviations are unavoidable and in any case a few of them said that it was common practice to make deviations.

Another interesting point which emerges is that citizens have resorted to making these deviations with the prior knowledge supplied to them by the architects that these deviations could be regularised after payment of penalty. But when questioned whether, in their opinion, their plans would have been approved if the deviations made by them were included in the original sanctioned plan, a few respondents said yes, while a substantial number of them were emphatic that their plans could not have been approved.

It is by and large the architects who provide information and encourage the public to make deviations with the promise that they would get them ignored or regularised. It is therefore not surprising that many malpractices prevail at the time of issue of completion certificates and assessment of penalties due to the activities of the middlemen and the corrupt officials.

DEVIATIONS FROM SANCTIONED PLANS

The officials allege that citizens often deliberately deviate from the sanctioned plans. Our respondents were questioned on this aspect. They were asked whether their constructions are in accordance with sanctioned plans and if not, whether they were aware of the type of deviations they had made, the reasons for doing so and whether these deviations were made at their own initiative or at the suggestion of the Architect/Contractor.

The question whether their constructions conform to sanctioned plans was put to those who had completed their constructions. In a sample of 215, about 76 per cent have completed constructing their houses. Fiftyfour per cent of the people to whom this question was applicable said that they had made deviations from the sanctioned plans. The remaining 46 per cent said that they have carried out their construction in accordance with the approved plans.

Those who admitted to making deviations were next asked whether they could specify the nature of deviations made. An overwhelming majority of them (94 per cent) could mention the nature of deviations. A small percentage (5 per cent) could not readily recollect.

When asked whether these deviations were deliberate or accidental, 68 per cent of them confessed that the deviations were made deliberately. Twentytwo per cent of them replied that in their construction, deviations occurred accidentally. The remaining 10 per cent said that in their case some deviations were deliberate whereas some were accidental.

Asked to give reasons for making deviations, one-third of them said that deviations are unavoidable. About 6 per cent of them replied that it is a common practice to make deviations and a very small percentage said that they had made deviations for ornamental and decorative purpose. About 44 per cent gave the reply that they had deviated from their sanctioned plans for the sake of convenience and comfort. The rest could not justify why they had made deviations.

Questioned whether these deviations were made at their own initiative or at the initiative of the architect/contractor, more than half admitted that the deviations were at their own initiative; 28 per cent said that deviations were at the initiative

of the architect. Some attributed the initiative to the building contractor, whereas a few others replied that the deviations were at the instance of both the architect and the contractor.

The Corporation permits certain deviations to be made from the plan which could be regularised after paying a prescribed penalty*. The citizens were asked whether the deviations they made were of a nature which could be regularised after paying the prescribed penalty.

The next question was directed to people who said that they had knowledge that the deviations they made could be

*“The compounding fee for various deviations shall be calculated on the basis of office orders issued from time to time. Rates of compounding fee for some of the more common deviations are given below :

(i) The unauthorised construction which conforms to bye-laws shall be regularised @ 25 per cent of cost of the construction for residential buildings and @ 50 per cent of cost for commercial buildings.

(ii) Excess coverage up to 5 per cent of the permissible covered area shall be regularised @ Rs. 25 per sq. ft. and excess of more than 5 per cent and up to 10 per cent of the permissible limit shall be regularised @ Rs. 50 per sq. ft. Excess coverage beyond 10 per cent will not be compounded.

(iii) Defect in height of bath and W.C. up to 1 ft. shall be regularised @ Rs. 25 per inch reduction for first 6 inches and @ Rs. 50 per inch reduction for the next 6 inches.

(iv) Defective staircases shall be regularised @ 50 per cent of the cost of the staircase.

(v) Defect in size of kitchen, bath, W.C. and passage up to 6 inches shall be regularised @ Rs. 50 per sq ft. of the area affected by the reduction of first 3 inches, and @ Rs. 100 per sq. ft. of the area affected by the reduction of next 3 inches.

(vi) Increase in the width of canopy up to 2 ft. shall be regularised @ 50 per cent of the total cost of the canopy.

(vii) Culverts constructed over municipal drains in front of the house shall be regularised @ Rs. 25 per culvert.

(viii) Cup-boards upto a width of 1½ ft. projected in set-back shall be regularised @ Rs. 1.50 per sq. ft.

(ix) Defective headway of staircases shall be regularised @ Rs. 25 per inch reduction for first 6 inches and @ Rs. 50 per inch reduction for the next 6 inches.

(x) Steps of staircase in set-back shall be regularised @ Rs. 25 per step.

(xi) Paragolas of more than 36 sq. ft. in area shall be regularised @ 50 per cent of the total cost of the paragola.

(xii) Sanitary fittings done without sanction shall be regularised @ 5 per cent of the cost of fittings which are visible and @ 25 per cent of the cost of underground fittings for residential buildings. The rates of compounding fee for commercial buildings shall be 10 per cent and 50 per cent respectively.

TABLE III WERE THESE DEVIATIONS AT YOUR INITIATIVE OR AT THE INITIATIVE OF THE ARCHITECT?

<i>Response</i>	<i>Percentage</i>
Self initiative	56
Initiative of the architect	28
Initiative of the contractor	4
Initiative of the architect/contractor	12

regularised/condoned. They were asked as to how they had acquired this information. Sixty-nine per cent replied that the architects supplied them with the information. About 29 per cent came to know from other sources. A small percentage (2 per cent) said that they got the information from a printed pamphlet of the Corporation.

We next asked the respondents whether, in their opinion, their plan would have been approved if the deviations they made had been included in the original plan. A quarter of them believed that their plan would have been sanctioned. However 32 per cent said that their plan would not have been approved. Nearly 43 per cent were not sure whether their plans would have been approved or not if the deviations they had made were included in the Plan.

The foregoing paras indicate the citizens' propensity to deviate from the sanctioned plans. Probably, this phenomena could be summed up by saying that the

majority had made deviations;

they also knew the type of deviations they had made; majority confessed that they had made deviations deliberately;

the deviations they had made were at their own initiative; most of them thought that deviations they made were of nature which could be regularised after penalty; and in most cases, the architect supplied them with the information.

CORRUPTION AT THE TIME OF THE ISSUE OF COMPLETION CERTIFICATE

Whereas the public generally waxes eloquent about the prevalence of corruption in the Building Department, there is a

curious reticence on their part in discussing their own responsibility for encouraging it. One has to make here a distinction between those citizens who are compelled to give bribes out of sheer helplessness and, on the other, those citizens who give bribes to officials on some *quid pro quo* basis. The officials are persuaded to turn a blind eye to the major deviations made by them and in return, the officials are compensated. The helpless category of citizens, it would seem, are resigned to the fact that corruption in administration is something that they have to put up with and that there is precious little that they could do to eradicate it. This feeling of helplessness springs mainly from an ignorance of rules and procedures and due to the intimidating tactics of the staff holding out threats of demolition of their constructions. Perforce this drives them to bribe the officials if only to get rid of unnecessary harassment. The unscrupulous citizen, on the other hand, is more practical and he faces the realities of the situation for promoting his self-interest in a different way. He is confident that with the help of corrupt officials he can flout rules and regulations. The corruption process starts after the submission of the application for completion certificate. The officials inspect the houses to verify whether any deviations had been made and to assess the amount of penalty to be paid for compounding or regularising such deviations. At this stage, there is some bargaining and finally, an understanding is reached. Broadly, the agreement that the citizen arrives at with the official concerned amounts to this. The official promises to issue completion certificate and official receipt for the amount paid as penalty for regularising the deviations. But there is a difference in the amount mentioned in the official receipt and what the citizen had actually paid to the official concerned. We were interested in knowing what the "difference" amounts to, so as to have some idea about the magnitude of corruption at this stage. But we found that our respondents were not communicative about the amount demanded by the officials for regularising the deviations and the actual amount they had paid to the Corporation and the receipt obtained for. Here is a situation which is conducive for the corrupt officials to make money. This opportunity appears to be fully exploited and corruption seems to be widely prevalent at this stage. It appears difficult to

suggest any cut and dry method to eradicate corruption at this point. The problem here has to be tackled, keeping in view, the two categories of public mentioned earlier—the helpless and the corrupting public. A greater awareness and knowledge of rules, perhaps, would enable those helpless citizens who, at present, prefer to bribe, to get rid of the bullying and intimidating tactics of the staff. In the case of those citizens who make major deviations and get them overlooked in collusion with corrupt staff, the only remedy is more thorough, efficient and systematic inspection by the higher officials. Some of the buildings for which completion certificates have already been issued could be rechecked by the higher officials who could take to task those lower officials who had ignored major deviations from the sanctioned plans.

As we see it, corruption is prevalent because (1) the public makes deviations from their original plans, (2) the Building Department staff is used to taking/making money, (3) the higher officers of the Corporation do not inspect the buildings, and finally (4) the rules are not known/nor made known to the public. There is a wide measure of agreement among the public with the diagnosis of the causes for corruption at the time of the issue of completion certificates. (see Table IV).

We suggest that the Department should adopt a two-pronged approach to this problem :

- (1) communication of rules regarding deviations which a citizen can make and the legitimate penalty chargeable; and
- (2) stern action against those citizens who deliberately make major deviations such as excess coverage, non-conformity to set-backs, etc. Even demolition of such structures should be resorted to. Such an action would have a salutary effect and may possibly act as a deterrent to future house builders.

The suggestions for plugging the channels of corruption would fail to have an impact in case the 'spoils' are shared by higher officials also. We often hear tales about proportionate share in the amounts collected through corrupt practices. There is no means of checking this hearsay.

OCCUPATION WITHOUT COMPLETION CERTIFICATE

The officials of the Corporation are not unaware of the fact that a majority of the citizens are defying the rules and yet the

TABLE IV RESPONDENTS' OPINION ABOUT CORRUPTION

<i>Response</i>	<i>Agree</i>	<i>Disagree</i>	<i>Don't know</i>
Corruption will always be there because public makes deviations from original plan	70%	23%	7%
Corruption will always be there because the Building Department staff is used to taking/ making money	77%	12%	11%
Corruption will always be there because the procedures are complicated	68%	23%	9%
Corruption will always be there because the higher officers of the Corporation do not inspect the Building	58%	32%	10%
Corruption will always be there because the rules are not known/ not made known to the public	72%	24%	4%

Corporation does not seem to take institutional measures to remedy it. For example, the officials know that a majority of the houses built in the recent past have been occupied without prior permission from the Commissioner.

Since it is an offence to occupy the house without obtaining the completion certificate, we asked our respondents whether they occupied the houses wholly or partly or let it out before obtaining a completion certificate.

About half of the respondents admitted to occupying their houses before obtaining the completion certificates whereas a small percentage (8%) had said that they had let it out and some (11%) had partly let out their houses without the certificate. Altogether 69 per cent of our respondents had occupied their houses without obtaining the completion certificate.

A total of 92 respondents out of 133 who had occupied the house or let it out before obtaining completion certificate, were specifically asked whether they were aware that they could be

prosecuted by the Corporation for occupying the building without obtaining the Completion Certificate. Surprisingly, 78 per cent of them replied that they were not aware of this. Only 20 per cent of the respondents said that they were aware of this provision. A small percentage of respondents believed that occupying the house without completion certificate was not an offence.

We also asked the Zonal Engineer, Section Officers and Building Inspectors, whether the Corporation ever took legal action against the citizens who did not apply for the completion certificates. There was almost a unanimous answer that the Corporation has never taken action against such citizens.

This raised the question as to who are the people who apply for completion certificates and we found that only those people applied who had obtained loans from Government departments and had to provide proof that their building had been completed. Another category of people who apply for completion certificates consists of those people who let out their houses to big firms or embassies who insist on examining the completion certificate before occupying the house so that they should not be disturbed by the Corporation staff after they have occupied the houses. Besides, there are citizens who are persuaded by the Corporation staff or the architects to apply for completion certificates probably because there is an opportunity for making money. Strangely enough, the Corporation has not evolved any machinery for checking whether the building for which plans have been sanctioned by it, has been constructed or not, and whether, after the construction, the owner has applied for completion certificate or not. When the citizens know that the Corporation is not likely to take any action, whether they apply for the completion certificate or not, the normal tendency will be not to apply for the issue of completion certificate since it is common knowledge that such applications lead to a lot of harassment. Unless there is some compelling reason, people do not apply for completion certificates. It is in these circumstances that we suggest that the Department must evolve an appropriate administrative machinery for keeping a watch on the construction of houses for which plans have been sanctioned. It should be ensured that the completion certificates are obtained by the citizens before houses are occupied. If the Corporation merely waits for the citizens' applications for

completion certificates, there are bound to be a large number of defaulters. Default on the part of many citizens would mean loss of revenue for the Corporation. There is evidence of serious lapse on the part of the Department to communicate to the citizens the extent of their responsibility in obtaining completion certificate and the legal consequences for the failure to do so. We hope that the Department will make concerted efforts in educating the house-owners about their duties.

We asked all the Zonal Engineers the question (*vide* question No. 16, Officials Questionnaire) as to "how is it that in almost all the completion certificate cases, the citizen is informed that the house was found locked and he should fix an appointment for inspection". Most of the Zonal Engineers agreed that this was a part of their tactics to circumvent the legal provisions. This leads to the harassment of citizens. The applications of those citizens who do not take prompt action for fixing up an appointment is treated as invalid and hence of no consequence. The Corporation staff gets round their legal responsibility of issuing completion certificates within 30 days. Once a letter is issued that the citizens' house is found locked, it means that till such time as the citizen fixes an appointment no action need be taken by the Corporation staff. In our opinion the Corporation should, immediately after the application for completion certificate is submitted, inform the citizen about the time and date when the inspection would be carried out.

COMPLETION CERTIFICATE : PROBLEMS AND REMEDIES

The above analysis shows that there are a number of deficiencies in the working of the Building Department, both as regards inspection procedures and as regards disposal of citizens' applications for the issue of completion certificates. There are delays as well as malpractices, which have created a poor image of the Department as well as of the Corporation. We have considered various suggestions for eliminating these delays and malpractices. There can be three possible ways of remedying the existing situation. One would be to centralise all the work relating to inspection and issue of completion certificates. Another suggestion is that the Corporation should introduce an officer-oriented system of administration whereby the Zonal Engineer takes the responsibility for carrying out inspection and issuing the necessary

completion certificate. The third suggestion relates to making improvements in the existing procedures without disturbing the structure.

If centralisation takes place, there will be a uniform interpretation of rules and regulations and compounding fees will be levied on a uniform basis. At present, there is a complaint that there are different rules and regulations for the different zones interpreted by different officers in their own way. For instance, even the bye-laws provide one set of rules for the plots sanctioned before 1st September, 1962, and another set of rules for the plots sanctioned after this date with regard to maximum permissible coverage. Similarly, there are different 'set-back' rules for different localities. In Nizamuddin and some areas of Patel Nagar, there is no insistence on a rear set-back whereas in areas like Greater Kailash, South Extension, Defence Colony, etc., the rear set-back is required to be provided by a citizen. In the absence of uniformity of rules for the various localities, there can be no overall uniformity in interpretation. The need for centralisation could have been suggested if the rules pertaining to all the areas in Delhi were the same. Since different rules have been evolved for different zones, centralisation of the work relating to inspection and completion certificates would not be feasible.

In an officer-oriented pattern of administration the Zonal Engineers would have to carry out the initial inspection of the buildings and would be personally responsible for the issue of completion certificates. This would eliminate the exercise of discretion of the lower level officers such as the Building Inspector and the Section Officer. At present, the ignorance of the citizens, coupled with slackness in supervision, enables the lower level officers to harass the citizens and extort bribes. This could be eliminated if higher level officers themselves were to carry out inspection for issuing completion certificates.

A change in the existing system towards officer-oriented administration is imperative. Under the new system individual officers will be made responsible for specific work. The existing system of checks at different levels might have been useful in an era where there was not much of development activity. When development is expected to be fast, and when there is an urgent need for economy in Administration, there does not appear to be any reason why papers should be processed

at multiple levels before action is taken. The responsibility for inspection should be passed on to the Zonal Engineers.

Since it would not be possible for the Zonal Engineer to attend to the completion certificate work in its entirety, due to multiplicity of his work, such as, the approval of building plans and action on unauthorised constructions, the officer oriented system does not seem to be practical at present. However, the Zonal Engineer should personally verify through field inspection a larger percentage of the reports of the staff. He should also send periodic reports to the Executive Engineer on the performance of the staff in detecting deviations etc. This task of the Zonal Engineer would be facilitated if technically qualified staff with experience of enforcement of building regulations is made available to him.

The inspection required for issuing completion certificates is a technical job and it should be handled by staff specifically trained for the purpose. At least one or two Section Officers in each Zone should be specially trained and they should be exclusively responsible for dealing with completion certificate applications. These Section Officers should be distinct from those dealing with the scrutiny and sanction of building plans. They could be entrusted with additional responsibility of providing help and guidance to the house-owners during the course of construction. This arrangement would enable the Department to take to task those officers in whose areas there are large-scale deviations. Before officers are selected for these positions, there should be careful screening so that undesirable persons do not get into these positions. Regular and systematic supervision of Section Officer's work by the Zonal Engineer, coupled with surprise checks by the Executive Engineer and the Zonal Assistant Commissioner should lead to elimination of many of the existing malpractices.

There is an urgent need for stricter control by the Headquarters on the functioning of the Zonal Offices in respect of the issue of completion certificates. The problem faced by the various zones in this matter has probably not received the attention which it deserves. For instance, during the last ten years, it has not been possible for the officers of the Building Department to issue more than a couple of completion certificates in the Shahdara Zone. Thousands of houses have been

constructed and occupied without completion certificates. Applications for completion certificates have been received but not disposed of due to encroachments on public property. There is resistance from citizens against any action regarding the rectification of the violation of set-back rules. Either the rules should be modified so as to condone the violations or the existing rules should be strictly enforced. The reluctance on the part of the Corporation to take action or to issue the completion certificates is a reflection upon the capacity to take unpopular decisions tantamounting to an abdication of responsibility.

The Headquarters should, notwithstanding the criticism of recentralisation, exercise a stricter control over the functioning of the Zonal Offices in respect of issue of completion certificates so as to minimize the scope for malpractices by the Zonal Office staff. The various zones should be asked to submit a monthly report showing the completion certificate applications received, and the number of cases pending for more than a month. The Headquarters should look carefully into these monthly reports for necessary action. It will be possible to improve the working of the Building Department only if drastic action is taken against the delinquent officials who are responsible for damaging the reputation of the Corporation.

In order to improve its image, the Department should specify in advance the time and date for inspection. After inspection, the citizen should be intimated the deviations and the action which is proposed to be taken by the Corporation. If the deviations can be compounded, he should be advised of the penalty. In case the deviations cannot be compounded, he should be asked to pull them down. In case there is no response from the citizen, the Corporation should take legal action to prevent the citizen from occupying and utilising the house.

Further, the Assessment Department of the Corporation should maintain close liaison with the Building Department. Whenever unauthorised additions to the existing structure come to the notice of the Assessment Department, these should be brought to the notice of the Building Department so that the building bye-laws are not flouted. If a better liaison could be established between the Building Department and the Assessment Department, there would be a greater scope for enforcement of rules regarding the issue of completion certificates.

Personnel Problems

A study of the organisation and functions of any department would be incomplete without a close look at the staff working in the Department. In the words of Prof. Glen Stahl, "No Government can be much better than its Civil Service permits it to be . . . Political leadership, however able and well-intentioned, cannot push very far beyond its bureaucracy."¹ We should add that the reverse process is no less significant. We looked at the staffing pattern and problems from the information provided by the Corporation. (Annexure IV).

STAFFING PATTERN AT THE HEADQUARTERS AND ZONAL LEVEL

The Building Department headed by an Executive Engineer works under the overall control of one of the Deputy Commissioners of the Municipal Corporation who is a generalist administrator. The Executive Engineer has two Assistant Engineers to help him at the Headquarters. The Assistant Engineer (General) deals with policy files pertaining to the various Zones of the Corporation and the Assistant Engineer (Headquarters) deals with files relating to plots of 300 sq. yards and above and the plans for non-residential constructions.

At the zonal level, the Building Department is under the control of the Zonal Engineer (Buildings). The Assistant Engineers and the Zonal Engineers are identical terms. The technical qualification required for these posts is Graduate in Civil Engineering but 72 per cent of the incumbents at the time of interview were diploma holders. These engineers are either recruited directly or promoted departmentally from among the Section Officers having more than 7 years experience. The Zonal Engineers have to work under a dual control. As regards

¹ O. Glen Stahl, *A Strong Civil Service for Nepal*, Kathmandu, The Ford Foundation, June, 1969.

technical problems his immediate superior is the Executive Engineer of the Building Department and he has to refer policy files to him for orders. Within the zone, however, he has to work under the administrative control of the Zonal Assistant Commissioner who is a generalist administrator.

At the Headquarters as well as in the Zones, the Building Department has a regular office. These offices are manned by Section Officers, Building Inspectors and other clerical staff. The Section Officers are required to have a Diploma in Civil Engineering; but, for the Building Inspectors, no technical qualifications are required and the minimum educational qualification for them is matriculation. A major portion of the office staff of the Corporation consists of Upper Division Clerks, who are designated as Inspectors of the Departments to which they may be posted. Thus, a U.D.C. may be designated as Building Inspector, Sanitary Inspector, Meter Inspector, Water Inspector, or Assessment Inspector, depending on the department to which he may be currently posted. The clerical staff consisting of Lower Division and Upper Division Clerks is liable to be posted in any department of the Corporation. At this level, there is no specialisation. Thus, the term 'building inspector' is a misnomer, as the staff so designated gives an impression of persons who have technical qualifications. The duties which are assigned to the Building Inspectors, however, are identical to the duties which are assigned to the Section Officers. The Section Officers were previously called Overseers but their designation was later changed to the present designation of Section Officers.

In addition to the Section Officers and Building Inspectors, there is other clerical indoor staff, and the duties of this staff are usually restricted to receiving the building plans, distributing the dak to the dealing assistants, and receiving the building tax, stacking charges and fee for compounding deviations, keeping the records and issuing the plans or completion certificates to the citizens.

We have interviewed 17 Building Inspectors, 30 Section Officers and 7 Assistant Engineers including the 5 Zonal Engineers of the Building Department.

The data on their educational qualifications reveals that whereas all the Building Inspectors whom we interviewed were

only Matriculates, 90 per cent of the Section Officers possessed High School Education plus a Diploma in Civil Engineering and 10 per cent had an AMIE certificate as well. Seventytwo per cent of the Zonal Engineers were Diploma holders in Civil Engineering, and the remaining 28 per cent held Engineering Degrees.

There seems to be a considerable turn-over in the staff of the Department; or to put it differently, the transfers to and from the Building Department are frequent. This feature is something which is probably common to Government Departments at all levels. Whatever may be the reasons for the high turn-over, there is no doubt that it has a deleterious effect on the accumulation of knowledge and experience in the work of the concerned Department.

In our sample 61 per cent of the officials have been in the service of the Corporation for a period ranging from 5 to 20 years. This is true of Building Inspectors, Section Officers/Overseers as well as Assistant Engineers. As would be evident from Table I.

TABLE I HOW LONG HAVE YOU BEEN A CORPORATION EMPLOYEE?

<i>Response</i>	<i>Building Inspectors</i>	<i>Section Officers</i>	<i>Assistant Engineers</i>	<i>Total</i>
1 year to 2 years	—	7%	—	4%
2—3 years	6%	23	14%	17
3—5 years	—	30	14	18
5—10 years	6	40	43	29
10—15 years	30	—	—	10
15—20 years	58	—	29	22

Although the officials have a fairly long tenure in Corporation Service, it is significant that 75 per cent of them are recent entrants to the Building Department with their tenure ranging from less than six months to about two years (Table II). Official-wise break up also reveals that 70 per cent of the Building Inspectors, 77 per cent of the Section Officers and 72 per cent of the Assistant Engineers have less than 2 years experience in the Building Department.

TABLE II HOW LONG HAVE YOU WORKED ON THIS POST?

<i>Response</i>	<i>Building Inspectors</i>	<i>Section Officers</i>	<i>Assistant Engineers</i>	<i>Total</i>
Less than 6 months	29%	20%	43%	26%
6—12 months	35	37	—	32
1—2 years	6	20	29	17
2—3 years	24	7	14	13
3—5 years	6	7	—	6
5 years and above	—	9	14	6

We questioned the officials to tell us about their career details in chronological order. From Table III we see that whereas the Building Inspectors and the Assistant Engineers have held one other position prior to their present one, such is not the case with Section Officers/Overseers. Evidently all the Assistant Engineers have been promoted from the ranks of Section Officers and there is no direct recruitment of Assistant Engineers. As already indicated, 94 per cent of the Building Inspectors had put in from 5 to 20 years of service in the Corporation and during this period they have held only one other position as L.D.C. before being appointed to their present position. Similarly 72 per cent of the Assistant Engineers held the position of Section Officers before being promoted as Assistant Engineers during their tenure ranging from 5 to 20 years. But 93 per cent of the Section Officers/Overseers who have from 2 to 10 years experience continue to hold the same position. This indicates that the rate of promotion of Section Officers to the grade of Assistant Engineers is very slow.

TABLE III WHAT POSITIONS DID YOU HAVE BEFORE THIS ONE?

<i>Response</i>	<i>Building Inspectors</i>	<i>Section Officers</i>	<i>Assistant Engineers</i>	<i>Total Sample</i>
Same position held so far	6%	93%	28%	55%
Held one other position	94	7	72	45

JOB SATISFACTION

The Assistant Engineers and the Building Inspectors appear to be satisfied that their present job is in keeping with their qualifications and abilities. But opinion is divided on this aspect among Section Officers. Of the 30 Section Officers/Overseers in our sample, half of them feel satisfied but the other half have expressed dissatisfaction with their job vis-a-vis their qualifications and abilities.

TABLE IV DO YOU THINK THIS JOB IN KEEPING WITH YOUR QUALIFICATIONS AND ABILITIES?

<i>Response</i>	<i>Building Inspectors</i>	<i>Section Officers</i>	<i>Assistant Engineers</i>	<i>Total</i>
Yes	76%	50%	57%	59%
No	18	47	43	37
Uncertain	6	3	—	4

The officials were asked the question "Some people like their work, others think of their work as only a means of livelihood. How do you feel about your work?" More than half of the Building Inspectors feel that they like their work and find it interesting. The rest find their job not interesting. Job dissatisfaction is particularly evident among 57 per cent of the Section Officers. However 40 per cent of them have said that they like their work. For 3 per cent of them, however, it is only a means of livelihood. Among Assistant Engineers opinion about the interest in their job is evenly divided. Table V shows that 43 per cent of them feel that their job was interesting while an identical number expressed dissatisfaction.

If we look at Tables IV and V, it is evident that many officers feel that their job is either unsuited to their qualifications or uninteresting. There seems to be a high correlation between lack of career mobility and job dissatisfaction in Corporation service.

The efficiency of the Building Department depends to a very large extent on the interest, integrity and devotion to duty of the field staff as well as their technical ability to detect deviations and interpret the Building Bye-laws. As such the Building

TABLE V JOB INTEREST AND SATISFACTION

<i>Response</i>	<i>Building Inspectors</i>	<i>Section Officers</i>	<i>Assistant Engineers</i>	<i>Total</i>
Yes, interesting	53%	40%	43%	44%
Not interesting	47	60	43	54
Don't know	—	—	14	2
Likes the work	53	40	43	44
Has reservations	47	57	43	54
Means of livelihood	—	3	—	—
Don't know	—	—	14	2

Department should be manned primarily by technically qualified staff.

TRAINING

Municipal Government everywhere and particularly in growing metropolitan areas, demands skills, knowledge, and attitudes which could be acquired only through systematic training of the staff. As the functions of the city government have grown complex, the need for training and retraining has become urgent and necessary.

The training should aim at aiding the employee to improve and increase his skills and knowledge. The development of these should be related to the employees' work. The training programmes should be pre-planned and well-organised. The Committee on Employee Training of the Public Personnel Association of USA has defined that "Training is the process of aiding employees to gain effectiveness in their present or future work through the development of appropriate habits, thought and action, skill, knowledge and attitudes."²

The officials of the Building Department are entrusted with a job which requires a fair amount of technical knowledge and skill. It is essential that they should not only familiarise themselves with Building Bye-laws but should also have adequate knowledge in interpreting them. A common complaint voiced both by architects and citizens was that the

² International City Managers' Associations, *The Technique of Municipal Administrations*, Fourth Edition, 1958, p. 191.

Building Plans are often scrutinised by the Building Inspector who does not possess any technical knowledge and "most of them do not even know the component parts of a building but they are very competent in graft".

Some questions were included in our questionnaire to find out whether the officials of the Buildings Department had received any training for the job they are doing. None of the 54 officials (Five Zonal Engineers excluded) we interviewed had received any training. May be it can be argued that the Zonal Engineers and Section Officers need no training since the former are Graduates and the latter are Diploma holders in Civil Engineering. There is nevertheless need for orientation and refresher training in the interests of effective checking and regulating Building activities.

There should be a training programme to make the personnel more competent. This is particularly necessary to detect deviations from sanctioned plans and infringement of Bye-laws. They should receive thorough training in specific aspects of enforcement to ensure consistent application of code provisions. A programme of lectures by experts in construction, sanitation, fire safety, etc., can be organised. They should also be trained in public relations techniques. The ability of inspectors to explain to property owners the nature of a violation, why it should be eliminated and how to correct it and to prevent recurrence seems essential to successful code enforcement.

Corporation Image

The main purpose of local government agencies is to provide essential services and to strengthen democracy at the grass-roots level. These agencies also help to bring knowledge about the apparatus of Government and its functioning to the door-steps of the citizen. The average citizen looks up to the local government to provide all the basic amenities and services such as medical and educational facilities for himself and his family, a cheap and reliable transport system besides good roads, electricity, sanitary facilities, water supply, parks, theatres, etc. Provision of these services form by and large the substantive functions of the local government. The above functions have to be performed in a "satisficing" manner. An average citizen will inevitably judge the efficiency of the local government by the type and quality of the services he is provided in his daily life. He is likely to pay his taxes cheerfully and may evince a keen interest in the running of the local government if he is confident of his contributions in getting satisfactory services; otherwise, he is likely to develop an attitude of indifference, if not hostility, to the whole system of local government.

If a citizen is treated with courtesy and his requirements are attended to promptly, he will be satisfied; but if he is pushed around from one place to another, treated shabbily and has to pay speed-money in order to get things done, he cannot be blamed if he is alienated from the system of local self-government. In order to check up this view, we tried to ascertain the attitudes of citizens and officials towards the Corporation, by administering a set of statements and eliciting their replies.

In response to the general question* about the working of the Corporation our respondents were either very critical

*Questions 65 and 24(xiv) in the Citizens' and Officials' questionnaires respectively.

or reluctant to express their opinions on the performance of the Corporation. There was widespread dissatisfaction about the services and amenities being provided at present. They specifically commented on the poor medical facilities; costly and undependable transport system, frequent power failures and constant water shortage. They felt that the Corporation had failed to solve many of the civic problems.

The hostility of the citizens towards the Corporation and consequently to the whole system of local self-government could be illustrated by the comment of a few citizens. "Let us scrap it altogether" is one. "An average person hates to visit the Corporation because he wastes more time and achieves very little" is another comment. Narrating their experiences from frequent visits to the Corporation offices, the citizens dwelt at length upon the inordinate delays in getting things done. They felt that these delays were deliberate and were often resorted to by the Corporation staff to harass the public and to extort bribes. The prevalence of corruption seems to haunt the minds of the bulk of the public. On the basis of his dealings with Corporation employees, one citizen pithily remarked: "Money matter is uppermost when they talk with people."

It is not desirable to generalize on the basis of individual comments but the openness with which the man in the street as much as well-to-do citizens take corruption for granted and talk about it compels us to draw attention to this image of the Corporation.

MUTUAL PERCEPTIONS

Some questions were asked of our respondents about what they felt about the extent of corruption, the efficiency and behaviour of the Corporation staff. Similar questions were also put to the officials on their estimate of corruption in the Corporation and how they would rate themselves about their efficiency and behaviour.

There is often a tendency amongst public officials to develop a feeling that all is well with them and with their organisations. Such a feeling of complacency clouds their judgement and the officials may fail to notice the citizens' feelings. It is sometimes profitable to subject ourselves to the appraisal of others with a view to know ourselves "as others see us".

Questions on corruption evoked conflicting reactions from the public and the officials. We found the public extremely eager to charge the officials with corruption in general though they were reticent about specifying their personal experiences. On the other hand, the officials were less communicative and they were inclined to play down the extent of corruption amongst themselves.

About 60 per cent of our public sample (Table I) expressed the view that there was corruption in the Corporation although they differed about its extent; but only 22 per cent of the officials had the same view.

Seventeen per cent of the officials held the view that none was corrupt in the Corporation whereas this opinion was shared only by one per cent of the public. However, there was substantial percentage of officials (46%) and the public (34%) who did not express any opinion.

TABLE I ESTIMATES OF ADMINISTRATIVE CORRUPTION BY THE PUBLIC AND THE OFFICIALS

	<i>Public</i>	<i>Officials</i>
All	15%	9%
Majority	42	9
Half	3	4
Few	5	15
None	1	17
Don't know	34	46

The extent of corruption in the Building Department (Table II) evoked similar conflicting estimates from the public and the Corporation Officers. As many as 59 per cent of the public have said that half or more than half of the officials of the Department are corrupt. In contrast, only 13 per cent of the officials shared this view. None of the citizens thought that the officials of the Building Department were free from corruption, whereas 43 per cent of the officials had made the claim that none is corrupt in their department. However, this perception should be considered keeping in view the fact that near about one-third of the sample in both the categories did not express an opinion.

TABLE II ESTIMATES OF CORRUPTION IN THE BUILDING DEPARTMENT

	<i>Citizens</i>	<i>Officials</i>
All	15%	6%
Majority	39%	2%
Half	5%	5%
Few	3%	13%
None	—	43%
Don't know	38%	31%

The wide divergence in the mutual perceptions of citizens and officials, referred earlier on the issue of corruption continued to show up when the officials and the citizens were questioned on matters like courtesy and efficiency. Seventyfive per cent of the public have rejected the idea that the officials of the Corporation are courteous and considerate towards the public. But the officials seem to have a more favourable estimate about the public perceptions of their behaviour. Nearly 79 per cent of them hold the view that a majority of the public would say that they are courteous and considerate in their dealings with them. (Table III)

TABLE III OFFICIALS OF THE CORPORATION ARE COURTEOUS AND CONSIDERATE

<i>Response</i>	<i>Public</i>	<i>Officials</i>
Agree	6%	79%
Disagree	78%	8%
Don't know	13%	13%
Qualified approval	3%	—

A majority of the officials (59 per cent) said that they have not heard the public criticising them about the performance of their duties. However, 41 per cent of them answered in the affirmative. These officials also mentioned to us the nature of criticism from the public. These pertain to complaints about delay, discourteous behaviour, and inefficiency of the Corporation staff. Bulk of the officials, however, feel that this criticism

was unfair (64 per cent). There were quite a few officers who feel that such criticism is fair (14 per cent). One official ruefully admitted "whenever there is public dealing there is always criticism". This feeling seemed to predominate among all officials.

The public as well as the officials were asked to evaluate the working of the Corporation. This was a further attempt to get at their views on the functioning of the Corporation generally. Once again we find the contrasting opinions apparent in their judgements in Table IV.

Fiftyfour per cent of the officials think that the Corporation is doing a good job. This opinion is endorsed by only 7 per cent of the public. In actual fact, 72 per cent of the public have advanced the opinion that Corporation is performing a poor job. It is significant to note that more than a third of the officials' sample also expressed the same opinion.

TABLE IV EVALUATION OF THE WORKING OF THE CORPORATION

<i>Response</i>	<i>Citizens</i>	<i>Officials</i>
Doing a good job	7%	54%
Doing a poor job	72%	39%
No opinion	21%	7%

ANALYSIS OF STATEMENTS

Some identical statements were made both to the officials and to the citizens and they were asked to express agreement or disagreement (Table V). Questioned as to whether they believed "there will always be corruption in our society" we find a sharp cleavage of opinion among officials and citizens. Nearly 41 per cent of the citizens feel that there will always be corruption in our society; whereas only 22 per cent of the officials seem to think so. There appears to be more confidence among officials that corruption will not be a permanent feature of our society since 78 per cent of them disagreed with the statement as compared to 53 per cent of citizens.

Corporation officials may be divided in their opinion about the extent of corruption among them and about its causes, but

there is a wide measure of agreement that low salaries are not the reason. Four-fifths of the officials in the sample have disagreed with the statement: "The salary of the Municipal officials is low, so they have to take bribe". Curiously, however, 41 per cent of the citizens seem to attribute corruption among Corporation officials to their low salaries.

Corporation employees appear to be emphatic in their belief that "citizens are more responsible for corruption than officials". Seventysix per cent of them blame the citizens, whereas only 23 per cent of the public were prepared to admit that citizens were more to be blamed. Actually, 42 per cent of the citizens squarely blame the officials for corruption.

Normally there is considerable delay in getting things done from any of the Corporation offices. We wanted to ascertain whether this could be because of overwork and/or on account of poor working conditions. Sixtyfive per cent of the citizens did not attribute delay to these factors, but 83 per cent of the officials attribute delay to their being over-worked and their working conditions being far from satisfactory.

The bye-laws assign certain important functions to the architects. We were interested to know what the citizens and officials think of the role played by the architects. Both the citizens and the officials recognise the useful role that the architects perform. Sixtysix per cent of the citizens and 52 per cent of the officials approve of the present system of building plans being submitted through registered architects. In the light of this widespread approval of the vital role of architects by citizens as well as officials, the Corporation should enable the architects to provide a more satisfactory service than they are able to do at present.

The citizens were asked to express their opinion on the advantages of centralising the approval of building plans of 300 sq. yards and below at the Headquarters. We particularly asked this question of those whose plots were 300 sq. yards and below and also the Zonal Officials whether the plans would be sanctioned quickly if the Headquarters staff dealt with them. Sixtythree per cent of the citizens do not favour the idea. The officials also appear to be strongly against it. Seventysix per cent of them are in favour of the present system according to which plans of 300 sq. yards and below are being sanctioned by the Zonal Offices.

TABLE V CITIZENS' AND OFFICIALS' RESPONSE TO A SET OF IDENTICAL STATEMENT

	CITIZENS				OFFICIALS		
	Agree	Disagree	Don't know	Qualified approval makes no difference	Agree	Disagree	Don't know approval
There will always be corruption in our society	41	53	6	—	22	78	—
The salary of the Municipal officials is low; so they have to take bribe	41	49	10	—	20	80	—
Citizens are more responsible for corruption than officials	23	42	4	31	76	2	13
The officials of the Municipal Corporation are overworked and their working conditions are poor; so these contribute to delay	12	65	19	4	83	11	—
							6

Do you approve of the present system of architects acting as agents	66	30	4	—	52	24	24	—
Do you think it will help if all the plans are sanctioned by Headquarters	18	63	15	4	13	76	11	—
Do you think it will help if the plans are sanctioned by zonal staff	31	17	16	36	13	87	—	—
Do you approve of the appointment of qualified Section Officers	56	17	23	4	85	20	5	—
At present about 50 per cent of the Building staff belong to clerical cadre. Do you want the clerical staff to be replaced by Section Officers	56	17	23	4	70	22	8	—

In regard to the present system of building plans for 300 sq. yards and above being sanctioned at the Headquarters, 81 per cent of the officials favour the continuance of the present system, whereas 31 per cent of the citizens would like these plans also to be approved at Zonal Offices. However, 36 per cent of the public seem to feel that it makes no difference whether these plans are sanctioned at Headquarters or at Zonal Offices.

We put the suggestion both to the citizens as well as the officials that, possibly, the appointment of a qualified Section Officer to deal exclusively with the approval of building plans and issue of completion certificate would eliminate delay. This suggestion found ready favour with both officials and citizens; 56 per cent of the citizens and 85 per cent of the officials lent their support to this view.

Another suggestion which was approved by 56 per cent of the citizens and 70 per cent of the officials related to the statement that "about fifty per cent of the field staff of the Building Department who belong to the clerical cadre should be replaced by qualified Section Officers" to improve efficiency.

A majority of the officials have generally reacted favourably to the suggestion that a central cell be created by the Headquarters to maintain records both as regards sanctioned plans and completion certificates.

The suggestion for the creation of a central cell for checking the completion certificates which are issued to the citizens was approved by a majority of the officials.

OFFICIALS PERCEPTIONS

Extent of Public Cooperation

For proper and meaningful relationships between citizens and administrators, it is not only the officials' behaviour and attitudes which count but also, to a great extent, the way the citizens extend their cooperation especially in the matter of following rules and regulations. Keeping this in view, the officials were asked as to what extent does their department get public cooperation. Fortythree per cent of them said they received very little cooperation. Twentyseven per cent of them however said cooperation from the public was forthcoming to quite a great extent.

About the same number remarked they received some cooperation.

TABLE VI EXTENT OF PUBLIC COOPERATION

<i>Response</i>	<i>Percentage</i>
Very little cooperation	43
To a great extent	27
Some extent	27
Don't know	3

Asked to state what was the basis for saying that they received very little cooperation, 58 per cent of the officials mentioned the general indifferent attitude of the public. However, 21 per cent thought that the public was ignorant about the rules and procedures and thus could not extend the necessary help. Eleven per cent felt that the public was not convinced of the need to cooperate. Another reason given by 5 per cent of the officials was that political interference hindered smooth public relations. The remaining 5 per cent did not express any opinion.

The officials who told us that public cooperation was forthcoming, were asked, what, in their opinion, were the reasons for the public advancing cooperation, 58 per cent of them felt that the public was generally law-abiding; 42 per cent felt that public cooperated because they had confidence in the officers.

The officials of the Building Department were asked to suggest in what way the public should cooperate with them. Thirtysix per cent of the officials want that the public should know and obey rules. Twentyfive per cent of them exhorted the public not to engage in unauthorised construction; about 13.5 per cent desire that public should stop asking the officials to do illegal things. About the same number expect the public to be tolerant and considerate towards them. Twelve per cent of the officials were unable to offer any opinion on the kinds of cooperation they expect from the public.

It is evident that officials at various levels in the Buildings Department realise the importance and need for getting public cooperation.

TABLE VII WHAT KINDS OF PUBLIC COOPERATION?

<i>Response</i>	<i>Building Inspector</i>	<i>Section Officer</i>	<i>Assistant Engineer</i>	<i>Total</i>
Public should know and obey rules	30%	36%	42%	36%
They should not engage in unauthorised construction	23	30	29	25
They should not ask officers to do illegal things	23.5	7	14.5	13.5
Tolerant and considerate towards officials	17.5	13	—	13.5
Don't know	6	14	14.5	12.0

It is encouraging that officials should desire public cooperation in spite of the fact that nearly 69 per cent of them have admitted to pressures from public by way of "extra demands". Fiftyfour per cent of the officials cited the habit of the public requesting for relaxation of rules in their favour. Thirty per cent of officials have said that the public makes requests that could not be complied with. For example, people sometimes bring councillors' recommendations for things that could not be done according to rules. Also, the citizens do not employ good architects with the result that plans are not properly prepared and when mistakes are pointed out by the officials, they want that these should be overlooked.

PROBLEMS IN SERVING THE PUBLIC

The officials are often said to be callous and indifferent in serving the public. There may be an element of truth in this. But this does not warrant a wholesale condemnation of the officials of being insensitive to public needs. The fact that administrators have to function within a framework of rules

TABLE VIII PUBLIC MAKES EXTRA DEMANDS

<i>Response</i>	<i>Building Inspectors</i>	<i>Section Officers</i>	<i>Zonal Engineers</i>	<i>Per- centage of Total Sample</i>
Yes	59.0	67.0	100	69
No	35.0	33.0	—	29
Don't know	6.0	—	—	2

TABLE VIII(A) NATURE OF DEMANDS

Don't know	3%
Asks us to relax rules	54
Asks us to expedite the work	16
Mentions requests not within our power to comply	3
Other demands	24

and regulations often makes them extremely cautious. The public fails to appreciate this fact and is consequently impatient with the delays and the ways of administration. The officials in their turn blame the citizens for trying to by-pass the established procedures and for bringing pressures of various types.

We were keen to find out the problems which the officials of the Building Department face in serving the public and to suggest measures to overcome them.

Table IX shows that a majority of the officials (74%) admitted that they had problems in serving the public. Asked to specify these problems, 39 per cent of them complained about poor working conditions. The complaints related to lack of proper accommodation for sitting and working and having to inspect a larger area without proper conveyance facilities. The haphazard manner in which the files are maintained and the difficulties in tracing them were also mentioned. We were also told that when they go for site-inspection or demolition work, they are not even provided with measurement tapes.

Twentynine per cent of the officials blamed the public for not being cooperative and actually obstructing them from discharging their duties. They have alleged that the public join together and

use violence during demolition work. Sometimes the citizens give misleading and incorrect information and refuse to accept official notices. They also prevent the officials on inspection duties from entering their premises. The officials particularly seem to take exception to the accusations from the public that they are corrupt.

Twentyseven per cent of the officials have blamed the councillors for interfering in their work. About 5 per cent did not express any opinion.

TABLE IX WHAT ARE THE PROBLEMS IN SERVING THE PUBLIC?

<i>Response</i>	<i>Percentage</i>
Political interference	27
Lack of public cooperation	29
Poor working conditions	39
No opinion	5

The officials have made the following suggestions which, in their opinion, will enable them to serve the public better. Thirtyseven per cent of them laid emphasis on better working conditions. Twentyfive per cent of them desired that political interference should stop. The need for public cooperation for serving the citizens does not seem to be upper most in their minds while suggesting improvements. However, a substantial percentage of them (29%) had no opinions to offer.

TABLE X WHAT IMPROVEMENTS DO YOU SUGGEST?

<i>Response</i>	<i>Percentage</i>
Political interference should not be there	25
People should be cooperative	9
Better working conditions	37
No opinion to offer	29

An analysis of the above data shows that the Corporation employees have grievances both against the public as well as against their own Organisation. In the matter of cooperation from the public, much remains to be done by the Corporation itself. It has to inform and educate the citizens about their responsibilities. Moreover, the Corporation employees themselves should be courteous and polite in their behaviour towards the public and this would go a long way in making the public behave in a more responsive manner.

Insofar as working conditions are concerned, there is much truth in what the staff has complained about. At present, there are not even enough of tables and chairs for all the employees in a particular zone. There is no proper seating arrangement and all the files are heaped up for lack of proper filing facilities. All these are organisational deficiencies which could be remedied.

Retrospect and Reflections

In retrospect we wish to draw attention to some methodological problems faced by us. The study of a single department forming part of a whole organisation, like the Corporation, has its limitations. These have been touched upon in chapter one. The Building Department is a part of the Engineering Department which is an important wing of the Corporation. Transfers from the Building Department to other units of the Engineering Department are quite common. Further, this study could not, for reasons of limited scope of the present study, bring out the inter-relationship between the Building Department and other allied organisations like the Town Planning Organisation, Delhi Development Authority, etc.

This unit of the Engineering Department is administered both at the zonal level as well as at the Headquarters level by generalist administrators who may not appreciate all the difficulties of the Building Department. At the Headquarters, the Deputy Commissioner, and at the Zonal level, the Zonal Assistant Commissioners are in overall charge and they can transfer their staff from the Building Department to other Departments. The Department also functions within the framework of a larger system in which there are elected representatives, Standing Committees and permanent executives consisting of both generalists and specialists. The interplay of the pulls and pressures and the motivations of the officers and Corporators and their impact on the working of the Building Department is difficult to assess. However, we have made an effort to understand and indicate the play of these multiple forces. Future studies may consider this aspect for more detailed examination.

The questionnaire sought information regarding age, caste, occupation, income, etc., of the citizen-respondents. Initially we

thought that these variables would be of significance. But, after analysis of the data, we did not find them in any way significant in explaining the experiences of citizens in their dealings with the various categories of the personnel of the Building Department. Administrative procedures and civil service personnel, by and large, help or harass the citizens more from the standpoint of impersonal uniformity or personal self-interest than out of considerations of caste, age, occupation or other variables. We, therefore, suggest that in future studies of citizen-administration interactions, the variables to be studied may be approached differently from the conventional classification of age, sex, occupation, etc. Some significant variables in our opinion could be the role of the middlemen and the professionals such as the architect, the sanitary engineer, etc.

The study has highlighted some of the maladies in our administrative system, particularly at the level where the citizens come into contact with the action-level of Administration. In this, and in a number of other studies conducted by us in the Institute,* the major handicap is found to be that of inadequate and improper communication from the Government to the citizen. The citizens are not well informed about rules and regulations because the communication is defective and the language of the communication is dysfunctional. A natural corollary of inadequate communication is the opportunity opened up for unscrupulous civil servants to harass the citizens either through delays in disposals or through 'blackmailing' them into paying heavy sums for getting out of offences connected with deviations from sanctioned plans, non-compliance with the bye-laws concerning completion certificates, etc. Many of these maladies or malpractices in administration are, in our view, directly caused by the low calibre, poor knowledge and unhealthy attitudes of the middle and bottom level personnel of the Department. These are hampering proper supervision and enforcement of the rules and regulations. Inadequate or improper supervision is

*1. A. P. Barnabas, *The Experience of Citizens in Getting Water Connections*, *op. cit.*

2. Eldersweld, Jagannadham and Barnabas, *Citizen and Administrator in a Developing Democracy*, Indian Edition: IIPA, New Delhi, 1968; American Edition: Glenview, Illinois, USA, Scott, Foresman & Company, 1968.

3. Jagannadham and Makhija, *Citizen Administration and Lokpal*, Delhi, S. Chand & Co., 1969,

responsible for a large number of deficiencies in the citizen-Government relationships. Very few could deny the proposition that supervision could be rendered more effective, provided the top-level personnel bring to bear a greater sense of duty and a better system of work-methods. We presume that their calibre is high and that their integrity is undisputable. If this assumption is correct, improvements in environment, equipment and work-methods may go a long way towards "satisficing" administration. We could make a beginning with improvements in filing system and a purposeful collection and analysis of statistical information about individual plots/houses, etc.

We have brought out in detail some deficiencies and defects in the working of the Building Department. We have also made suggestions to remedy them and there is no need to repeat them here. However, we would like to reiterate the need for evolving effective and functional media and methods of communication to the different levels of personnel within the department and to the interested citizens at large. The personnel of the department, particularly those who are coming into direct and frequent contact with citizens, should be trained to help and facilitate the citizens to comply with the requirements as to preliminaries about documents and prescriptions about plans; they could also bring to the notice of citizens the serious implications of occupying the houses without obtaining completion certificate. In our view, the Building Department should not regard itself merely as a regulatory department. It should consider itself as a servicing department and should take all steps to create such an image in the public mind. If the citizens are informed and helped *ab-initio*, we are sure that many maladies and malpractices would be reduced. An achievement of this goal requires the building up of an effective system of supervision and a high morale among the staff from bottom upwards. The Building Department may also consider the establishment of consultancy service for house-construction in Delhi on no-profit-no-loss basis.

We are convinced that unless the general atmosphere or the whole milieu in the functioning of the Municipal Corporation is changed, isolated efforts at improvements in a single department are likely to be frustrated. For this reason, we are inclined to suggest the appointment of a study team to make a comprehensive

survey of the Municipal Corporation's administration with a view to streamlining its overall approach and operation.

Two other matters to which we wish to draw attention in this concluding chapter refer to (i) a citizens' body to keep watch on administration under the Building Department, and (ii) the desirability of a review and revision of the Building bye-laws from the standpoint, (a) of their rationality in the context of the type of citizens that are interested in constructing buildings; (b) of the need to encourage and accelerate private building constructions and (c) of promoting the vertical expansion of the city in future. On the first point we wish to appeal to the enlightened citizens to form Citizens Advice and Service Bureaux so as to protect the common man from exploitation by the routine-ridden and secrecy-worshipping civil service. They need not stop there. They could also help honest and enlightened administrators to grow in number by protecting them against self-seeking and que-jumping dishonest citizens.

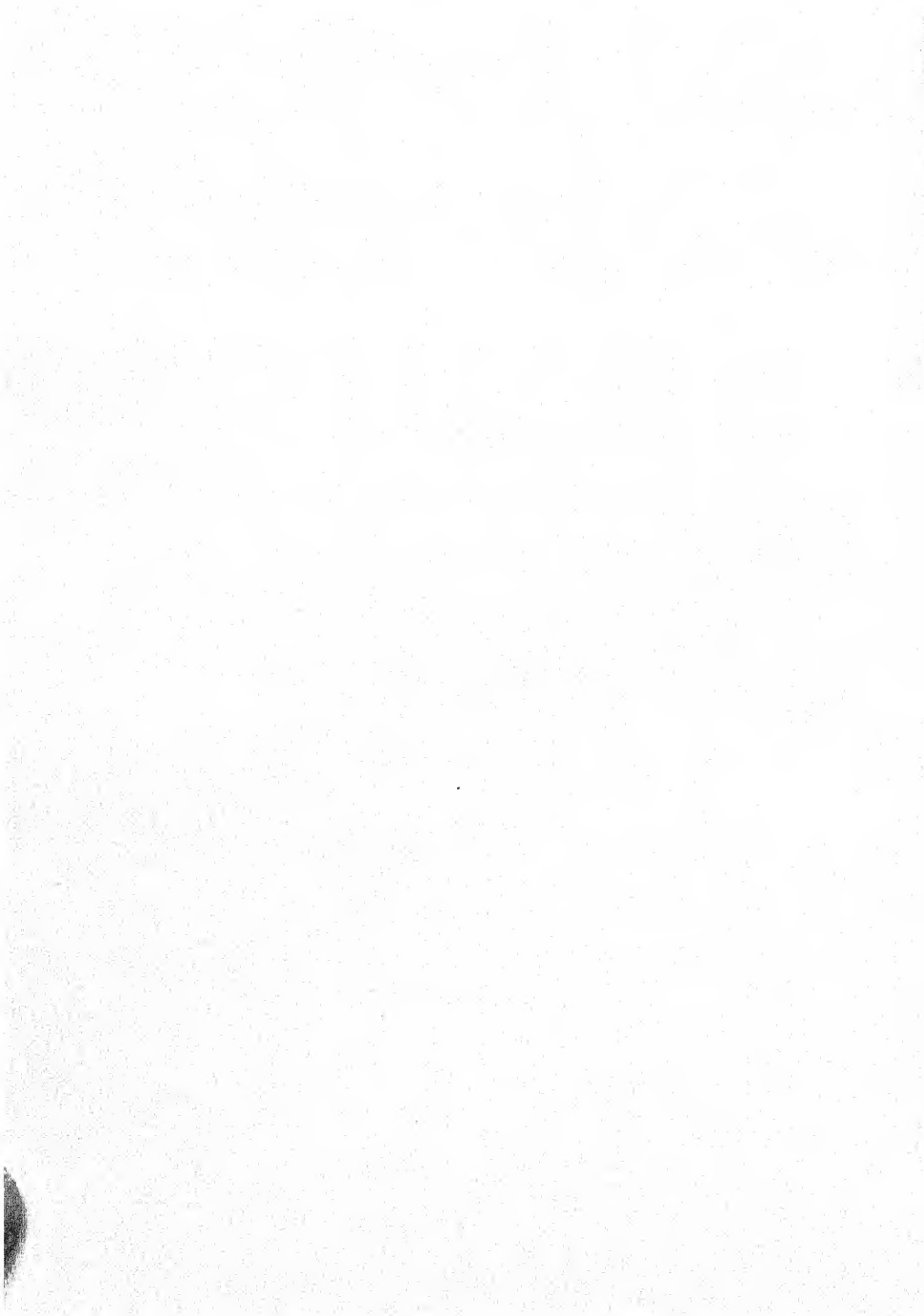
On the second point we hesitate to make any suggestions because of lack of technical knowledge about the many and varied prescriptions concerning building construction. As lay people we found that the prohibition on vertical structures is dysfunctional; the rules about setbacks about heights and open-spaces may need revision. Supply of water and electricity before the issue of completion certificates may also have to be reviewed and revised so as to secure conformity to building bye-laws.

Finally, we wish to draw attention to two further aspects that demand the attention of policy-makers and administrators. The first refers to the growth of unauthorised constructions and colonies. To check these is one of the integral functions of the Building Department. We could not study this partly because it is outside the terms of reference, and partly due to the limitation of resources. However, this aspect of the housing problem deserves study from the larger politico-sociological and administrative aspects. The second refers to the macro-aspect of how best to solve the housing problem of expanding cities with populations of varying incomes and sub-cultures. We are not sure whether the present organisational set-up consisting of multiple authorities with competing or conflicting powers, resources and responsibilities is adequate for facing, not to speak of solving,

the larger issue of providing private dwellings by public authorities. Housing the citizens in growing cities is a complex issue which throws a challenge to—politicians, administrators, sociologists, economists, architects, planners and town planners, etc. It is for consideration whether a high-power Housing Board should be constituted with representation on it for various interests, professions and disciplines. This may not necessarily be an implementing body. This may be a perspective planning and advisory body.

The suggestions contained in this study are of micro- and macro-significance. Problems in other cities in India may not be different. However, we hope that the Delhi Municipal Corporation, the Delhi Administration and the Union Government find our suggestions useful for immediate as well as phased implementation over a period of time. We also hope that our suggestions will ultimately lead to greater satisfaction among citizens and more fruitful cooperation between citizens and Government.

ANNEXURES



QUESTIONNAIRE FOR THE CITIZENS

PROF. V. JAGANNADHAM

Professor of Sociology & Social Administration

Project Director

Dear Respondent,

The Indian Institute of Public Administration is currently conducting, on behalf of the Home Ministry, a study of the Building Department of the Municipal Corporation of Delhi. The main focus of the study will be on the experiences of citizens in getting their Building Plans sanctioned and in obtaining the completion certificate. With this purpose in view, we are interviewing a cross-section of people in New Delhi South, West and Shahdara Zones. You are one of the persons in our sample. A representative of the Institute will contact you to know about your experience with the Building Department in the matter of securing approval of the plan, completion certificates and related matters. We would like you to express your views freely and frankly. The views you express will be treated strictly confidential and we assure you to preserve your anonymity. Your answers will only be used for drawing general conclusions for our study and the names of individuals will not be mentioned in our report.

It is our belief (and I hope you share this belief with us) that studies of this nature would bring about improvements in administrative procedures and would contribute to better Citizen-Administration relationships. We hope you will extend your cooperation to the members of our Study Team who have been deputed to contact you.

Thanking you,

Yours sincerely,

(V. JAGANNADHAM)

SURVEY OF THE EXPERIENCE OF CITIZENS WITH THE BUILDING DEPARTMENT OF MUNICIPAL CORPORATION OF DELHI

W _____
S _____
SH _____

BUILDING PLANS

1. How long have you been a resident of Delhi/New Delhi?
.....
2. (i) When did you purchase/acquire your plot?
.....
- (ii) From whom was the plot purchased?
.....
- (iii) What is the area of your plot?
.....
- (iv) How much did you pay for your plot?
.....
- (v) How much commission was paid to the agent through whom the plot was purchased?
.....
- (vi) For how much is your plot registered for?
.....

KNOWLEDGE

3. (i) Did you know that the plot was in the approved lay-out?
Yes _____ No _____
- (ii) Did you know the land-use of the plot purchased by you?
Yes _____ No _____
4. (i) Are you aware that there are some preliminary conditions which the owner of a plot is required to fulfil before the building plan is accepted by the Corporation?
Yes _____ No _____
- (ii) If yes, could you name some of them?
5. (i) How did you come to know of these pre-conditions?
.....
- (a) From any material given to you by the Corporation
- (b) From your architect _____

- (c) From your personal friends_____
- (d) Through some other source. (please describe) _____
- (ii) What do you think about these preliminary conditions?
Are they
Simple_____ Complicated_____ Satisfactory _____
- (iii) Do you think any of these pre-conditions can be simplified?
Yes_____ No_____ Don't know_____
- (iv) If yes, how? (Please describe) _____

PROCEDURES

6. (i) Are you aware that the Corporation has published a pamphlet called "Facts You Must Know About Your Building Plans"?
Yes_____ No_____
- (ii) What from your experience, are the procedures for getting sanction for your Building Plan? (Please describe) _____
- (iii) How did you learn about these procedures? _____
7. (i) Do you think the procedure is
Simple_____ Complicated_____ Satisfactory_____
- (ii) Do you think the procedure needs to be simplified?
Yes_____ No_____ Don't know_____
- (iii) If yes, how? _____
8. (i) Are you aware that the building plan could be rejected by the Corporation unless it is prepared and signed by an approved architect of the Corporation?
Aware_____ Not aware_____
- (ii) Who prepared the plan for your house?
(a) Yourself _____
(b) Approved architect of the Corporation.
(take down the name and address) _____
- (c) Private architect
(take down the name and address) _____
- (d) Any other person _____
- (iii) Was the Building Plan submitted by you personally or through the architect?
Personally_____ Through the architect_____

- (iv) When was the plan submitted?

9. (i) How much did you pay your architect for getting the plan prepared?

(ii) Did you pay the building tax for getting the plan approved from the Corporation?
Yes _____ No _____
(iii) If yes, how much?

(iv) Was an official receipt for building tax issued to you?
Yes _____ No _____
(v) Was the Building Tax paid personally or through the architect?

(vi) Did the architect ask for any additional amount for paying to Corporation staff to get the plan approved?
Yes _____ No _____
If yes, how much?

10. (i) Were you given any date for appearing before the Building Plan Committee at the time of submitting your Plan?
Yes _____ No _____
(ii) If yes, could you please recollect the date?

11. Did you receive any official communication called invalid notice, asking you to make corrections, modifications, etc.?
Yes _____ No _____
12. How did you receive the invalid notice?
(a) By post from Zonal/Head Office;
or
(b) By going personally to Zonal/Head Office;
or
(c) Through the architect
or
(d) Through some other source.
13. (i) How long after you submitted your building plan did you receive this invalid notice?

- (ii) Did you receive the invalid notice before or after your case was scheduled to come up before the Building Plan Committee?

14. (i) Could you please tell us the objections raised in the invalid notice?

- (ii) What did you do about these objections?

- (iii) Were you able to overcome these objections before the Building Plan Committee took up your case?
Yes _____ No _____
- (iv) If 'no' did you ask for any postponement of your case?
Yes _____ No _____
15. Was it your view that the objections were?
Reasonable _____ Not reasonable _____ No comments _____
16. (i) Did you or your architect appear before the Building Plan Committee to present your case?
Yes _____ No _____
- (ii) Was your appearing before the Committee useful or not?

- (iii) Were you treated courteously?

17. Did you meet any of the members of the Committee before the meeting took place in connection with plan approval?
(Please probe about influence etc.)
18. (i) Was your plan sanctioned as originally submitted by you?
Yes _____ No _____
- (ii) How long did it take to get the final approval?
15 days _____ 30 days _____
More than a month _____ More than two months _____
19. (i) Do you consider the time taken for giving the sanctions?
(a) Reasonable _____
(b) Too long _____
- (ii) What in your view should be the reasonable time?

CORRUPTION

20. We generally understand that in order to get the building plan approved a citizen has to pay to the Corporation staff. Could you please tell us your experience?

21. Did you have to pay anything to anybody in the Zonal/
Main Office to get the plan approved?
Yes _____ No _____
22. (a) If so, to whom?

- (b) If so, how much?

23. Did you pay yourself or was the payment made through
the agent/architect?
Self _____ Through the agent _____
24. Did the architect/agent suggest the need to pay something?
Yes _____ No _____
25. If yes, did he also suggest the amount?

26. (i) if the payment was made through the architect/agent
are you satisfied that he actually passed on the money
to someone in the Corporation Office or not ?
Satisfied _____ Not satisfied _____
- (ii) Why did you think it necessary to make the payment?
27. Who in your opinion are responsible for corruption?
Officials _____ Architects/Agents _____ Citizens _____
28. How was your plan finally approved?
- (a) Through normal procedures _____
- (b) By personal follow-up _____
- (c) Through architect's help _____
- (d) Through the efforts of some councillor of the Corpora-
tion _____
- (e) By paying money to officials at different levels.

- (f) Through other sources _____
29. What in your opinion is the best way of getting the plan
approved, with least difficulty?

COMPLETION CERTIFICATE

30. When did you start the construction of your house?

31. (i) How long did it take you to complete the construction
of your house?

- (ii) Could you please tell us whether you served any notice on the Corporation at the time of starting your construction as required by the Municipal Act/Building By-laws?
 Served the notice_____
- Did not serve any notice_____
- (iii) If notice was served did any officer of the Corporation visit your site to verify the start of the construction?
 Yes _____ No _____
- (iv) Were any inspections carried out by the Corporation staff during the course of construction?
 Yes _____ No _____
- (v) If yes, how many and at what stages?
32. Could you please detail out for us the difficulties that you experienced during the construction of your house?
- (a) Shortage of materials_____
- (b) Labour problem_____
- (c) Any other reason _____
33. (i) Did you have to get your plan revalidated from the Corporation?
 Yes_____ No_____
- (ii) If yes, what was the need for getting revalidation?
- (iii) Was there any difficulty in getting revalidation?
 Yes _____ No _____
- (iv) How much time did it take?_____
- (v) Was there any need to pay money besides the revalidation tax/building tax for getting revalidation?
 Yes_____ No_____
- (vi) If yes, how much and to whom?

34. Was your construction exactly in accordance with the plan approved by the Corporation?
 Yes_____ No_____
35. (i) If no, what were the nature of the deviations?
- (ii) Were these deviations deliberate or accidental?
 Deliberate_____ Accidental_____
- (iii) Could you please give reasons for these deviations?
- (iv) Were these deviations at your initiative or at the initiative of the architect?
 Your initiative_____ initiative of the architect_____

- (v) Did you know that these deviations could be regularised after penalty?
 Yes _____ No _____
- (vi) If yes, how did you come to know that deviations could be regularized/condoned?
 (a) through printed pamphlet of the Corporation.
 (b) through architect.
 (c) through some other source.
36. If these deviations had been included in the original plan, do you think your plan would have been approved?
 Yes _____ No _____ Don't know _____
37. (i) Did you apply for the completion certificate?
 Yes _____ No _____
- (ii) If answer is 'yes' could you please tell us as to when you applied for the issue of the completion certificate ?

- (iii) If answer is 'no' could you please tell us your reasons for not applying for the completion certificate. (Probe)
38. (i) Did you occupy the house wholly or partly, or let it out before obtaining the completion certificate?
 Occupied _____ Wholly _____ Partly _____
 Let it out _____ Wholly _____ Partly _____
 Did not occupy/Let it out _____
- (ii) If answer is 'yes' are you aware that if the building is occupied without obtaining the completion certificate, prosecution action can be taken by the Corporation.
 Aware _____ Not aware _____
- (iii) If aware why did you occupy/let it out before obtaining the completion certificate?
39. Is there any fee for the completion certificate application to be made?
 Yes _____ No _____
40. Did anyone come to check your building after the application for the issue of completion certificate was made?
 Yes _____ No _____ Don't know _____
41. (i) If yes, how long after the completion certificate application was made, did the Building Department staff visit your house?
 Within one week _____

- Within a fortnight _____
 Within a month _____
 Within six weeks _____
- (ii) Were you given any advance information/intimation regarding the inspection?
 Yes _____ No _____
- (iii) Could you please recollect as to who carried out the inspections?
 Building Inspector/Overseer _____
 Section Officer _____
 Zonal Engineer _____
 Zonal Area Commissioner _____
 Or more than one officer _____
 (Please get details of Inspection/Inspections)
42. Were you or any of your representatives present during the inspection?
 Yes _____ No _____
43. (i) Were any deviations pointed out to you during the course of inspection by the municipal staff?
 Yes _____ No _____
- (ii) If yes, by whom and what?
- (iii) Were these deviations confirmed in writing by the Corporation?
 Yes _____ No _____
44. (i) Did the Building Inspector/Section Officer inform you of the approximate amount which you will have to pay for compounding/regularising these deviations? (Inspection state at site)
 Yes _____ No _____
- (ii) If yes, how much? _____
- (iii) Was this fine confirmed in writing by the Corporation
 Yes _____ No _____
45. Were there any deviations which were required to be pulled down?
 Yes _____ No _____
46. (i) If yes, could you please detail these for us?
 (ii) Were any of these deviations?
 Regularised _____ Likely to be regularised _____
- (iii) Were these actually pulled down? (Please probe)
 Yes _____ No _____

47. Was it suggested to you at any stage that the penalty could be reduced for some consideration?
Yes _____ No _____
48. (i) If so, could you please tell us the source from which this suggestion came?

- (ii) What did you do after this suggestion was conveyed to you? (Please probe)
49. Did you make any efforts to get this penalty reduced/condoned?
Yes _____ No _____
50. If yes, what were the channels through which these efforts were made?
51. Did you submit any appeal to the Corporation authorities?
Yes _____ No _____
52. (i) If yes, what was the result?
(a) Penalty was reduced _____
(b) Penalty was kept the same _____
(c) Penalty was increased _____
- (ii) If no, why did you not make an appeal?

53. How much was the penalty which you finally paid to the Corporation?

54. Was an official receipt issued to you for the penalty paid by you?

55. Could you suggest an appeal procedure for reducing/condoning penalty?
56. (i) When was the completion certificate issued to you?

- (ii) How was the completion certificate delivered to you?

- (a) Collected from Corporation Office _____
(b) Delivered by post _____
(c) Delivered by B.I./S.O. _____
(d) Delivered by the agent through whom payment to corporation staff was made _____
(e) Through some other source _____

57. When did you finally occupy wholly or partly or let out the house?

58. Could you please tell us whether the corruption in obtaining the completion certificate is due to any of the following:

- (i) Corruption will always be there because the public makes deviations from the original plan. ()
- (ii) Corruption will always be there because the Building Department Staff is used to taking/making money. ()
- (iii) Corruption will always be there because the procedures are complicated. ()
- (iv) Corruption will always be there because the higher officers of the Corporation do not inspect the building. ()
- (v) Corruption will always be there because the rules are not known/not made known to the public. ()

FOR ALL

59. How many Municipal Officials in your opinion are corrupt?

- All of them _____
- Majority of them _____
- About half _____
- A few _____
- None _____

60. Why do you think they are corrupt?

61. Do you think that corruption can be :

- Eliminated _____
- Reduced _____
- Nothing can be done _____

62. (i) How many officials in the Building Department are corrupt?

- All of them _____
- Majority of them _____
- About half _____
- A few _____
- None _____

(ii) Could you please tell us the levels in Building Department at which there is maximum corruption?

63. Now we place some statements before you. Please tell us whether you agree with them or not.

(i) There will always be corruption in our society.
 Agree——— Disagree——— Don't know———

(ii) The salary of the Municipal Officials is low. So they have to take bribe.

Agree——— Disagree——— Don't know———

(iii) Citizens are more responsible for corruption than officials?

Agree——— Disagree——— Don't know———

(iv) The officials of the Municipal Corporation are always courteous and considerate towards the public?

Agree——— Disagree——— Don't know———

(v) The officials of the Corporation are overworked and their working conditions are poor. This contributes to delay and inefficiency among them.

Agree——— Disagree——— Don't know———

64. (i) We understand that in a majority of cases, the architect takes all action to get the plan approved. Do you agree——— Disagree——— Don't know———

(ii) Do you approve of the present system of architects acting as agents for getting approval for building plans?

Approve——— Disapprove——— Don't know———

(iii) Do you think, it will help to get the plans approved quickly, if all plans were to be scrutinised by the Headquarters staff? (Ask plot-holders of 300 sq. yds. and below only).

Agree——— Disagree——— Don't know———

(iv) Do you think, it will help to get the plans approved quickly, if all plans were to be sanctioned by the Zonal Staff? (Ask plot-holders of 300 sq. yds. and above).

Agree——— Disagree——— Don't know———

(v) Do you think, it will be easier, to get the completion certificate, if Headquarters staff was to carry out the inspection instead of the Zonal Staff?

Agree——— Disagree——— Don't know———

(vi) At present about 50 per cent of the field staff of the Building Department belongs to the clerical cadre.

Do you agree that the efficiency of the Department will

improve, if clerical staff is replaced by qualified Section Officers.

Agree——— Disagree——— Don't know———

65. What is your opinion about the working of the Corporation?

PERSONAL DATA

66. (i) Locality :

(ii) Age :

20—30 yrs.

31—40 yrs.

41—50 yrs.

51—60 yrs.

61 and above.

(iii) Occupation :

(iv) Income :

Less than 200 p.m.

201—400 p.m.

401—500 p.m.

601—800 p.m.

801—1,000 p.m.

1,001 and above

(v) Education :

Primary _____

Middle _____

Higher Secondary _____

College _____

Graduate _____

(vi) Religion :

Hindu _____

Sikh _____

Muslim _____

Christian _____

Any other _____

(vii) Caste.

(viii) Marital status.

(ix) Number of Children.

(x) Any dependents.

Approximate time taken for the interview.

QUESTIONNAIRE FOR BUILDING DEPARTMENT

STAFF AND OFFICERS

Designation _____

Zone _____

Interviewer _____

Time & Date _____

1. Let's start with some questions about your job. I want to be sure I understand your position. Can you tell me about the nature of your job (Probe for job description as 'R' sees it).
 - (a) Are there any other duties that you have?
 - (b) Which of those duties seem to take most of your time?
 - (c) What is your rank or designation?
 - (d) How long have you worked in this position?
 - (e) How long have you been a Corporation employee?
 - (f) What positions did you have before this one? (Career details in chronological order).
 - (g) Do you find your job very interesting, somewhat interesting; or not interesting?
 - (h) Do you think this job is in keeping with your qualifications and abilities?
 - (i) Do you feel that you have enough authority to decide the things you should decide, or not enough authority?
 - (j) Do you find it at times necessary in your position to relax the procedures to do a more effective job?
 - (k) Do you find it possible to relax procedures?
 - (l) Some people like their work, others think of their work as only a means of their livelihood. How do you feel about your work?
 - (m) Could you tell me a little about your training for this position? Were any efforts made in acquainting you with Delhi Building Bye-laws (Probe to find out as to how he learnt his present job).

- (n) (If yes) what sort of things were emphasised in this programme of training?
 - (o) Was your relationship to the citizen or the public discussed during this training?
 - (p) (If yes) what were you told about the way to deal with the public?
 - (q) Do you think this training has been valuable to you in your job?
 - (r) In what respects. Can you give any examples of how it has helped you?
2. Now I would like you to tell me a little about the people you work with him. Who is the immediate superior to whom you report? (Name and designation)
- | | |
|----|----|
| 1) | 2) |
|----|----|
- (a) About how often do you see him?
 - (b) How well do you know him? (Aside from your official relationship, do you know him personally?)
 - (c) How well does he know your job?
 - (d) What sorts of things does your immediate superior emphasize when he talks to you about your job?
(Probe: What sorts of things seem to be most important to him in the way you perform your job?)
 - (e) Has he ever discussed with you the problem of your relationship to citizens and the public, and the way you should deal with them?
 - (f) What sorts of things does he emphasise in discussing your relationship to the public?
 - (g) Have you ever had any differences of opinion with him about the way you should handle the public?
 - (h) Have you ever been warned about your work?
 - (i) (If yes) what was that?
 - (j) Is there an official policy on public relations—on dealing with the public—for your agency? or are there any written rules and regulations in your department regarding dealings with the public?
 - (m) Who is the person at the top of your department?
(Name & designation)
- | | |
|----|----|
| 1) | 2) |
|----|----|
- (n) Have you ever met him?
 - (o) Do you think he is aware of the type of work you do?

- (p) Has he ever talked to the employees like yourself about the way in which you should do your job?
 - (q) (If yes) what sorts of things does he talk about?
 - (r) Does he discuss your relationship to the public at all—that is, how you should treat the public?
3. (a) Do you think the public makes extra demands on you over and above what you do for them in the ordinary course of your job?
- (b) (If yes) can you tell me something about the nature of these demands?
 - (c) Do you think it is necessary for you to explain to citizens the reasons for your decisions/actions?
 - (d) Some people say that serving the public is most important; others say that following the orders of your superiors is most important. How do you feel this (Probe: if says both ask for the one which is more important of the two?)
 - (e) Have you ever happened to hear criticisms about the performance of your duties from members of the public?
 - (f) (If yes) what sorts of things do you criticise you about?
 - (g) (If yes) do you think this criticism is fair or unfair?
 - (h) How important do you think it is for your particular zone to get cooperation from the public?
 - (i) To what extent does your department get such public cooperation, in your opinion?
 - (j) Why? or (Why not?) (Ask for both cases)
 - (k) What kinds of cooperation from the public do you think you should get?
 - (l) What per cent of the public do you feel would say that people in your type of position are efficient?
- (m) And what per cent of the public, in your opinion, would say officials like you are courteous in their dealings with the public?
- (n) And what per cent do you think would say that officials in your position are corrupt?
- (o) In general, what do you think of your relations with the public—are they good, bad or indifferent?
4. (a) Some people say that a large number of people who work for the Corporation are corrupt. Do you think this is so?

- (b) What per cent of Corporation employees generally would you say are corrupt?
- (c) What per cent of employees in your own zone would you say are corrupt?
- (d) Do you feel that all citizens are treated fairly and equally by the people who work in your zone? or are some types of people treated favourably and other less favourably?
- (e) (If discrimination is indicated) what type of people are not treated fairly?
- (f) Do you think it is your job to treat everybody fairly, or do you think you have to give some people special treatment?
- (g) (If have to discriminate) what groups do you have to favour?
- (h) Are there any difficulties or problems in your zone in serving the public? (Please probe for pressures).
- (i) (If yes) what are they?
- (j) (If yes) what improvements do you suggest?

EXECUTIVE ENGINEER AND ZONAL ENGINEERS ONLY
SANCTION OF BUILDING PLANS

- 5. What is your opinion about the factors contributing to the delay in sanction of building plans?
- 6. We understand that in a majority of cases, invalid notices are issued to the citizens/architects. What do you think could be done to eliminate the issue of such invalid notices?
- 7. What are your suggestions to expedite the sanction of building plans?
- 8. How do you ensure that the latest instructions regarding building bye-laws are communicated to your staff?
- 9. What special efforts have been made to ensure the uniform implementation of the latest instructions in your zone?

ROLE OF ARCHITECTS

- 10. What is the procedure and qualifications for the registration of architects?
- 11. Could you please suggest as to how the unauthorised architects could be eliminated?
- 12. Does the Building Department communicate to the

architects the amendments and interpretations of the building bye-laws?

(i) If not, why not?

13. What, in your opinion, is the role of architects insofar as corruption in the lower ranks of the Building Department is concerned?
14. What kind of cooperation do you expect from architects?

ISSUE OF COMPLETION CERTIFICATE

15. We understand that the C.C. is delayed in a majority of cases. Could you please tell us the reasons for the same?
16. How is it that in almost all C.C. cases, the citizen is informed that the house was found locked and he should fix an appointment for inspection?
17. What, in your opinion, are the reasons for the public in not applying for C.C.
18. Does the Corporation ever take action against people who do not apply for C.C.? If so, what? (Probe for specific cases).
19. In a majority of C.C. cases the reasons for the penalty are not communicated to the public. Could you please tell us why?
20. What is the remedy open to citizens to appeal for reduction/condoning of penalty imposed for deviating from sanctioned plans?
21. (i) (In case there is no remedy) could you please suggest some appeal machinery for reducing/condoning penalties?
22. There is a general impression that one cannot obtain the C.C. without making some payment to the inspecting staff. Do you think this is so?
(a) If yes, what in your opinion is the remedy?
23. What measures would you suggest for expediting the issue of C.C.?

FOR ALL

24. Now we place some statements before you. Please tell us whether you would agree with them or not.
(i) There will always be corruption in our Society.
Agree—Disagree—Don't know—

- (ii) The salary of Municipal officials is low; so, they have to take bribe.
 Agree—— Disagree—— Don't know——
- (iii) Citizens are more responsible for corruption than officials.
 Agree—— Disagree—— Don't know——
- (iv) The officials of the Corporation are overworked and their working conditions are poor. This contributes to delay and inefficiency among them.
 Agree—— Disagree—— Don't know——
- (v) Do you approve of the present system of architect acting as agents for getting approval of Building Plans?
 Approve—— Disapprove—— Don't know——
- (vi) Do you think, it will help to get the plans approved quickly, if all plans are to be sanctioned by the Headquarters staff? (Ask Zonal Staff).
 Agree—— Disagree—— Don't know——
- (vii) Do you think it will help to get the plans approved quickly, if all plans are to be sanctioned by the Zonal staff? (Ask Headquarters Staff).
 Agree—— Disagree—— Don't know——
- (viii) Do you approve of the appointment of qualified Section Officers to deal exclusively with approval of Building Plans and issue of completion certificates?
 Approve—— Disapprove—— No opinion——
- (ix) Do you approve of a Central Cell to maintain records both pertaining to sanction of plans and C.C.?
 Approve—— Disapprove—— Don't know——
- (x) Do you approve of a Central Cell for checking the C.C. which are issued to the citizens?
 Approve—— Disapprove—— Don't know——
- (xi) At present about 50 per cent of the field staff of the Building Department belongs to the clerical cadre. Do you agree that the efficiency of the Department will improve if clerical staff is replaced by qualified Section Officers?
 Agree—— Disagree—— Don't know——
- (xii) Does it make any difference to your work whether Congress or Jan Sangh is in control of the Corporation?

- (xiii) If yes, in what way has the recent changes affected your Department?
- (xiv) What is your opinion about the working of the Corporation?

PERSONAL DATA

25. Age :

- 20—30 years
- 31—40 years
- 41—50 years
- 51—60 years
- 61 and above.

26. Income :

- Less than Rs. 200 p.m.
- 201—400
- 401—600
- 601—800
- 801—1000
- 1,001 and above

27. Education :

- Primary
- Middle
- High School
- Higher Secondary
- College
- Post Graduate

28. Religion :

- Hindu
- Sikh
- Muslim.

ANNEXURE III

STATEMENT OF APPLICATIONS RECEIVED BY THE BUILDING DEPARTMENT FOR SANCTION OF BUILDING PLANS, SANITARY PLANS, COMPLETION CERTIFICATE CASES, C & D FORMS DURING THE YEARS 1964-65 AND 1965-66

(Extract from Municipal Corporation Letter Dated 8/12/66)

New Delhi South Zone

	1964-65	1965-66
1. Building Plans	2,424	1,466
2. Sanitary Plans	319	201
3. C.C. cases	966	1,283
4. C & D forms	2,160	2,192

West Zone

1. Building Plans	3,501	1,833
2. Sanitary Plans	669	500
3. C.C. cases	995	1,466
4. C & D forms	2,826	2,530

Shahdara Zone

1. Building Plans	362	503
2. Sanitary Plans	—	—
3. C.C. cases	301	189
4. C & D forms	—	—

Headquarters

1. Building Plans	4,121*	3,691*
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*The Headquarters Office of the Building Department at the Town Hall receives building plans for 300 sq. yards and above. During the years 1964-65 and 1965-66, it received 4,121 and 3,691 applications for the sanction of building plans. At the Headquarters, all the applications are entered only in one register, and there is no zonal-wise break-up. As we had decided to confine our survey to the West, New Delhi South and Shahdara Zones, these registers were sorted out, and out of a total of 7,812 applications received by the Headquarters, 4,965 pertained to these three zones, and hence, this number was included in the total population from which the random sample was drawn.

ANNEXURE IV

SANCTIONED STRENGTH AND EDUCATIONAL QUALIFICATIONS OF THE BUILDING DEPARTMENT STAFF

*(Copy of Letter No. 1254 R. B. Dated 11.5.67 from
Shri K. K. Bhatia, Executive Engineer, Building)*

<i>S. No</i>	<i>Categories</i>	<i>Sanctioned Strength</i>	<i>Technical Qualifications</i>
1.	Ex. Engineer (Bldg.)	1	Graduate in Civil Engineering.
2.	Asstt. Engr. (Bldg.)	9	Graduate in Civil Engineering. or departmentally promoted candidates from among the S.Os. having more than 7 years' experience.
3.	S.Os.	42	Diploma in Civil Engineering.
4.	Draughtsman	1	Diploma in Civil Engineering.
5.	Bldg. Inspector (Non-technical)	26	Matric or above Matric
6.	Clerical indoor staff	27 L.D.C. 15 U.D.C.	Matric or above Matric Matric or above Matric

**BYE-LAWS RELATING TO BUILDING
SECTION 481 (II) F**

1. The regulation or restriction of the use of sites for buildings in different areas;
2. the regulation or restriction of buildings in different areas;
3. the form of notice of erection of any building or execution of any work and the fee in respect of the same;
4. the plans and documents to be submitted together with such notice and the information and further information to be furnished;
5. the level and width of foundation, level of the floor and stability of structure;
6. the construction of buildings and the material used in the construction of buildings;
7. the height of buildings whether absolute or relating to the width of streets or to different areas;
8. the number and height of storeys composing a building and the height of rooms and dimensions of rooms intended for human habitation;
9. the provision of open spaces, external and internal and adequate means of light and ventilation;
10. the provision of means of egress in case of fire, fire-escapes and water lifting devices;
11. the provision of secondary means of access for the removal of house refuse;
12. the materials and methods of construction of external and party walls, roofs and floors;
13. the position, materials and methods of construction of hearths, smoke-escapes, stair-cases, latrines, drains and cess-pools;
14. the provision of lifts;
15. the paving of yards;

16. the restrictions on the use of inflammable materials in buildings;
17. the restriction on construction of foundation on certain sites;
18. the measures to be taken to protect buildings from damp arising from sub-soil;
19. the walls, tanks, cisterns and pumps for the supply of water for human consumption in connection with buildings;
20. in the case of wells, the dimensions of the well, the manner of enclosing it and if the well is intended for drinking purposes, the means which shall be used to prevent the pollution of the water;
21. the supervision of buildings;
22. the setting back of garages and shops from the regular line of a street;
23. the construction of portable structures and permission for such construction.

to share the goals of the organisation and function effectively in their respective areas of action. This is a continuous process relevant to all levels of government but it is much more needed in urban local Government.

There should be an independent central valuation Board free from the control of the Corporation. Under the existing system, it is not possible for the Assessment and Collection Department to ignore the pressures in their day-to-day work from the Councillors and others who have some control over the postings, transfers and promotions of the officials. In the absence of an independent Board, it is not possible to be objective in all the cases all the time.

CHAPTER - VIII

R E C O M M E N D A T I O N S

Sr. No.	Page No.	Recommendation
1	2	3

CHAPTER - I

1. 13 We wish to emphasise the paramount need to appreciate by one and all in any Organisation two factors of sound Administration, namely:

(a) the Time Dimension of Administration

Administration is an on-going process spread over generations, if not centuries; and therefore the files and records have to be kept so as to endure for long.

(b) the Impersonality of Administration

Certain objective data recorded on files should form the basis of decision about assessment, levy and collection of house property tax, or for that matter, any tax. In the absence of a systematic and purposeful gathering and maintenance of data according to pre-determined principles and methods made known to the field staff and the citizens concerned, Administration tends to become arbitrary rather than objective and degenerate into a rule by persons instead of a rule of Law.

CHAPTER - II

2. 22 There is need for a close liaison between the Building Department and the Assessment Department of the Corporation. These two

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| | | in that particular property after ascertaining the type of facilities and services which are available. Thus, all the properties would normally fall into three categories: those properties where good-quality materials have been used with all the facilities. This could be termed as 'A' Class properties. Similarly, there could be 'B' Class properties where only the minimum essential facilities are being provided. The rateable values of self-occupied properties could be linked with the floor area available and the amenities provided therein. |
| 14. | 58 | We think there is need for better communication between the citizens and the Administration in so far as the rebates allowed by the Assessment Department are concerned. |
| 15. | 62 | We would suggest that the Corporation staff should be so trained as to manage matters in a way that the citizens need not have to bargain for getting satisfaction. If there was proper inspection and the proposals were based upon the actual rents received by the owners, and the citizens were also properly informed about the rebates available to them, and if these rebates were granted automatically, then, there would be no need for such mass of complaints and their disposal, which unnecessarily wastes the time of the staff of the Corporation. |
| 16. | 65 | It is suggested that the Section Inspectors should be trained in their profession so that they are able to collect and report all relevant information which would help the Assistant Assessor and Collector in arriving at a reasonable decision. |
| 17. | 66 | A thoroughly systematic approach is required for a fair and equitable distribution of taxes over as large a segment of the population as possible, and this certainly cannot be arrived at under the existing system. |

- | 1 | 2 | 3 |
|-----|-------|---|
| 18. | 70 | There is an urgent need for a firm supervision on the part of the Assistant Assessor and Collector while dealing with cases even though there are no objections from the citizens. |
| 19. | 73 | We think it is very necessary for the Corporation to keep track of the existing properties on the assessment list, changes in these properties, both as regards tenancies and as regards additions and alterations for the purposes of improving the revenues of the Corporation. |
| 20. | 74&75 | Periodical test checking of those files on which no action is proposed by the Section Inspector will have a salutary effect on the Section Inspectors' performance. |
| 21. | 76 | In our opinion, it would not be enough if revision of assessment is carried out in every zone at least once in five years. In addition to door to door checking, the record of that checking in respect of individual properties in every zone is necessary. |

CHAPTER - IV

- | | | |
|-----|----|--|
| 22. | 85 | We think that it will not be enough merely to streamline the procedure for the preparation and despatch of bills but the procedure for collections will also have to be overhauled. |
| 23. | 86 | Perhaps it may be worthwhile to introduce some kind of an incentive scheme both for the citizens as well as for the Corporation staff; if the citizens made the payment within fifteen days of the receipt of the bills, they should be given some rebate. At present, the penalty for delinquency is not severe. Probably if/ Similarly, the Section Inspectors should be encouraged to

/the penalty is increased, the collection might improve. |

take follow-up action in cases where the payment has not been received and in case the recovery in their respective areas stands above the recovery of the entire zone, or of the entire Corporation, then, the Section Inspectors of such areas should be given commendation certificates as well as incentives in the shape of cash rewards.

24. 88 The law for the issue of demand notices should be amended so as to enable the Corporation to issue bills as well as demand notices simultaneously.
25. 88 We would lay stress on proper planning and daily programme of work, which should be supervised regularly by the higher officials.

CHAPTER - V

27. 94 If the Special Cell is to function effectively, two alternatives are suggested: (1) in order to avoid duplication of work, the Zonal Office should refer the files to the special cell immediately after the expiry of the due date mentioned in the Demand Notice. This would not only ensure even spread of work but also would result in the swift flow of revenues to the Corporation. Only complicated cases or cases where a substantial amount of money is involved, should be referred to the Special Cell and not all routine cases, where payment is not received from the citizen as is the case at present.
28. 95 The functions of the Special Cell have to be clearly defined and the type of cases which have to be referred to the Cell should be clearly prescribed so that the responsibilities between the Zones and the Special Cell are clear in this respect, and there is no duplication of functions.

1	2	3
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CHAPTER - VI

29. 104

We recommend the prevailing system in Calcutta, wherein people, after initial recruitment, are divided for being earmarked for six different units of the Corporation and upto a salary of Rs.250/- per month, they remain in the same Department. Only after they have reached this particular salary, they take up a competitive examination which is held by the Municipal Service Commission and are allocated to different cadres thereafter. We suggest that an experiment on these lines should be tried in the Delhi Corporation.

30. 104

We suggest that the Assessor and Collector should have the powers to allocate the staff to indoor or out-door work as he deems fit.

31. 105

There would be considerable improvement in the assessment and collection of property taxes if proper attention is given to:

- 1) the training of staff in the methods of assessment;
- 2) the selection of supervisors on the basis of departmental tests and
- 3) the continuance of the staff trained for the purpose in the same Department without frequent and endless transfers.

CHAPTER- VII

32. 107

The working of the Department would certainly improve if the existing arrangement of record-keeping was replaced by a more orderly information storage and information retrieval system. Only proper record-keeping and systematic building up of the information can help the Corporation in increasing its revenues. If it is not

1	2	3
		<p>If it is not possible for the Corporation to prepare individual property cards, then the Assessment Department should have a single source of information relating to property in which all the details of ownership of the plot, date of construction of the house, date of completion certificate and the number of rooms and all the relevant data would be entered. The citizens also should have a pass book type of record containing information about assessment and levy of taxes, which the citizen may be invariably required to hand over to the new owner of the property if and when the property changes hands.</p>
33.	108	<p>It would also be necessary to give more powers to the A.A.&C. in respect of the staff working under him.</p>
34.	108	<p>There is an urgent need for a close coordination at the zonal level between the different departments which are closely related to one another. The Zonal Area Commissioners should be more closely associated with the working of the Assessment Departments in their respective zones and they should be more active in securing coordination.</p>
35.	111	<p>Except on strictly humanitarian grounds, where realisation of the tax amounts could be deferred, the Department must in other cases exercise its powers firmly in realising its dues.</p>
36.	112	<p>The need to conform strictly to the work programmes laid down for assessment and collection of property taxes should be impressed upon all the officials.</p>
37.	112	<p>The personnel of the Department both by ad-hoc and on the top-training programmes should be made to share the goals of the organisation and function effectively in their respective areas of action.</p>

A N N E X U R E

ASSESSMENT DEPARTMENT CASE STUDY

Q U E S T I O N N A I R E

1. Name of the Zone
2. Location of Property
3. Owner's name and address
4. Accommodation at the time of first assessment:

<u>Ground Floor</u>	<u>First Floor</u>	<u>Barsathi Floor</u>
---------------------	--------------------	-----------------------

- | | | |
|--------------------------------------|--|--|
| (a) No. of drawing rooms | | |
| (b) No. of bed-rooms | | |
| (c) No. of bath-rooms | | |
| (d) No. of kitchens, Verandah, Store | | |
| (e) No. of Lavatories. | | |

- 4 (a) Rented portion, if any.
5. When was the building constructed?
6. Any intimation of C.C.? If so, date of issue.
7. When was the property first inspected by the Assessment Department Staff? Who initiated the proposed assessment?
8. Was there any field inspection by the A.Z.I./Z.I./A.A.&C. before the notice was sent? /fore

9. What was the proposed rateable value?
10. From which date was the first assessment to take effect?
11. Was the Property:
 - (a) Owner-occupied
 - (b) partially rented and partially owner-occupied
 - (c) wholly rented
 - (d) shop portions, if any
 - (e) New construction and vacant.
12. What was the proposed assessment and when was this intimated to the citizen?
13. How much time was he given to file the objection?
14. Was the objection filed in due time? If not, was it filed after the due date, and time? Any reasons for the delay given by the citizen in filing objections?
15. Was it necessary for the Department to send any reminders to the citizen requiring his presence for the disposal of objections? If so, how many notices, and at what intervals?
16. Was the citizen given any date and time for the disposal of his objection?

17. Did the citizen appear at the proposed time?
18. Any evidence of field inspection pursuant to the receipt of objection from the citizen?
19. Who carried out this inspection?
20. Please give details of objections received from the house-owner and findings of the A.A. & C. if any.

Objections of the
house-owner

Finding of the
A.A. & C.

21. What was the basis of assessment?
 - (a) Production of rent-receipt
 - (b) Rent certificate from the tenant
 - (c) Owner-occupied
 - (d) Any other basis.
22. When was the objection finally disposed off?
23. What was the amount for which the property was finally assessed?

C O L L E C T I O N

1. When was the bill sent to the citizen?
2. What was the last date for payment?
3. Was the payment made in time?
4. If not, was a reminder sent?
5. If a reminder was sent, after how much time?
6. When was the payment finally received by the Corporation?
7. If no payment was received, was any action taken by the Corporation?
8. What was the nature of the action?
9. What was the result?
10. Are there still any outstanding dues?

PERIODICAL REVISION OF ASSESSMENT

1. Was there any subsequent revision of the property?
 - (a) Yes
 - (b) No
2. If so, when? (Mention the date and year).
3. What was the basis for the proposed revision?
 - (a) Due to additions, alterations.
 - (b) due to change in rents.
 - (c) due to periodical general revision.
 - (d) Any other reason.
4. Was a notice served intimating revised proposed assessment?
 - (a) Yes
 - (b) No
5. Was the basis of revision intimated? If so, when? (Mention the date and year).
6. Was there any objection against the proposed rateable value?
7. What was the proposed revised assessment and when was this intimated to the citizen?

8. How much time was given to file the objection?
9. Was the objection filed in due time?
10. If not, was it filed after the due date and time?
11. Any reason for the delay given by the citizen in filing objection.
12. Was it necessary for the Department to send any reminders to the citizen requiring his presence for the disposal of objections? If so, how many notices, and at what intervals?
13. Was the citizen given any date and time for the disposal of his objections?
14. Did the citizen appear at the proposed time?
15. Any evidence of field inspection pursuant to the receipt of objection from the citizen?
16. Who carried out this inspections?
17. Please give details of objections received from the house-owner and findings of the A.A. &C., if any.

Objections

Findings of the A.A.&C.

18. What was the basis of assessment?
- (a) Production of rent receipt.
 - (b) rent certificate from the tenant.
 - (c) Owner-occupied
 - (d) Any other basis.
19. When was the objection finally disposed off?
20. What was the amount for which the property was finally assessed?

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T H E C A S E

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